Third Series, No.33

Tuesday, March 24, 1964
Chaitra 4, 1886 (Saka)

LOK SABHA DEBATES

Seventh Session
(Third Lok Sabha)

LOK SABHA SECRETARIAT

New Delhi

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LOK SABHA

Tuesday, March 24, 1964/Chaitra 4, 1886 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Forest Resources

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*714. **Shri Vishram Prasad:**
Shri Sidheshwar Prasad:
Shri Hari Vishnu Kamath:
Shri M. Rampure:
Shri Koya:
Shri Imbichibava:
Shri A. K. Gopalan:
Shri P. Kunhan:
Shri Ram Harkh Yadav:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have undertaken any project to compile a complete record of forest resources to plan the establishment of new wood-based industries;

(b) whether Government have undertaken a pre-investment survey of forest resources for these wood-based industries;

(c) when this survey will be completed; and

(d) whether any foreign assistance monetary or technical has also been accepted and, if so, the name of the foreign country?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). The Government of India has on hand a project entitled "Pre-investment Survey of Forest Resources", which aims at conducting pre-investment surveys of forest resources over areas aggregating about 11,500 square miles.

(c) The Survey is expected to take about 3½ Years for completion after it is started.

(d) Yes. From the United Nations Special Fund.

श्री विश्राम प्रसाद : हमारी इंडस्ट्रीज के लिये जो लकड़ी की कमी होती है, इस सर्वे से कहां तक हम उस कमी को दूर कर सकेंगे, कहां तक हम सैल्फ-साफिशेंट हो सकेंगे लकड़ी के मामले में तथा कहां तक फर्दर प्रोग्रेस हम करेंगे ?

डा० राम सुभग सिंह: भारत के उद्योगों को जितनी किस्म की लकड़ियों की जरूरत होती है, केवल आज ही की उनकी आवश्यकताओं के आधार पर यह कहना कि हम स्वावलम्बी हो सकेंगे, इतना मुनासिब नहीं होगा । कारण यह है कि रोज रोज उनकी लकड़ी की मांग बढ़ती जाती है । इस लिये हम कोशिश यह करेंगे कि ज्यादा से ज्यादा इस सर्वे के आधार पर बन के धन को बढ़ाया जाय ताकि इनकी मांग को पूरी करने की कोशिश की जा सके ।

श्री विश्राम प्रसाद : जरूरत के मुताबिक लकड़ी मिल सके, उसके लिये

क्या कोई रिसर्च या एफोरेस्टेशन की स्कीम सरकार के पास है ताकि कमी को पूरा करने के लिये भारत में प्लाटेशन हम कर सकें ?

डा० राम सुभग सिंह : इस वक्त ऐसी कई एक योजनायें हैं । जैसे कागज उद्योग है उसके लिये युकलिपटस वगैरह के, या दिया सलाई के उद्योग के लिए सलाई वगैरह के जंगल लगाये जाते हैं । कड़ी लकड़ी के लिये सखुआ और सागवान के लगाये जाते हैं । उद्योगों की आवश्यकताओं के अनुसार जंगल बढ़ाने की बात चल रही है ।

श्री सिद्धेश्वर प्रसाद : वन सम्पदा का सर्वे कराने के साथ साथ क्या इस ओर भी आपका ध्यान गया है कि वनसम्पदा को बड़ी बेरहमी के साथ काटा जा रहा है ? वन-सम्पदा को बेरहमी के साथ कटने के से बचाने के लिये सरकार ने क्या उपाय किये हैं ?

डा० राम सुभग सिंह : इसकी काफी रोकथाम की जाती है । माननीय सदस्य को मालूम होगा कि जहां से वह खुद आते हैं, वहां जंगल में कोई ऐसे हथियार ले जाने की मुमानियत कर दी गई थी जिससे जंगल बेरहमी से काटे जा सकते हों और बिना इजाजत ऐसा नहीं किया जा सकता था । लेकिन साथ साथ वह इसे भी मानेंगे कि जो जरूरत है लोगों की खास कर जंगल के नजदीक रहने वाले लोगों की, उसको देखते हुए ही जंगलों की रक्षा की बात बढ़ाई जा सकती है और वैसा किया जा रहा है ।

Shri H. P. Chatterjee: According to our planners in the Third Plan we require 4·5 million tons of industrial wood annually which will increase to 9·5 million tons by 1975. This is mentioned in the Third Plan. We also require 60 million tons of fire wood, which is equal to 400 million tons of cow-dung which we burn annually, which will increase to 100 million tons annually by 1975. The difference from the present annual output is so very great. What the Minister proposes to do in the mater to meet all these requirements? How much he gets annually now and how much he expects to increase every year?

Mr. Speaker: Not so many questions in one supplementary.

Dr. Ram Subhag Singh: Even now we are short of both timber and fuel wood. We are importing good quality timber in large quantities from the neighbouring countries of Nepal and Burma. Regarding fuel wood, as the hon. Member himself has stated, we are burning cow dung. All these needs are going to be tackled through various other sources. In regard to fuel, power may also be utilised and is being utilised in urban areas. So is the case in regard to timber etc. because concrete poles etc. are also being manufactured. But I do not want to depend on that. It is precisely with a view to tackling timber and fuelwood requirements and to meet the increasing demands that a new afforestation policy has been launched and everywhere forests are being replanted.

डा० गोविन्द दास : माननीय मंत्री जी इस बात को जानते हैं कि जहां तक इस देश में वन सम्पदा का सम्बन्ध है, वहां तक मध्य प्रदेश का एक खास स्थान है । जो अनुसंधान हो रहा है, उसमें क्या इस बात का भी अनुसंधान किया जा रहा है कि मध्य प्रदेश के जंगलों को देखते हुए, वहां की लकड़ी को देखते हुए वहां पर इस प्रकार के कौन से उद्योग धंधे स्थापित किए जा सकते हैं ?

डा० राम सुभग सिंह : एक न्यूजप्रिंट का कारखाना वहां पर बना है जिसका नाम नेपा कारखाना है और जो बरहानपुर के पास है । दूसरे भी कारखाने वहां पर राज्य सरकार की राय से जो वे बतायेंगे, स्थापित करने

की बात सोची जा सकती है। दियासलाई वगैरह का भी कारखाना शायद बन पायेगा। सूचना आने पर मैं विस्तृत ब्यौरा दूंगा।

श्री पाराशर : इस सर्वे में यह दृष्टिकोण भी क्या रखा जायगा कि किसानों को कृषि के लिये और जनता को जलाने के लिये जितनी लकड़ी की आवश्यकता है उतनी को अलग से छोड़ कर राष्ट्रीय वन सम्पदा की राष्ट्रीय विकास के लिये अलग कर दिया जाय, उतना क्षेत्र अलग कर दिया जाय जैसे और मुल्कों में भी होता है ?

डा० राम सुभग सिंह : माननीय सदस्य महोदय को इस कठिनाई को जानना चाहिये कि किसान यहां ३५ करोड़ के करीब हैं और उनको चाहे हल के लिये, चाहे छप्पर के लिये, चाहे खटिया के लिये और चाहे दातुन के लिये लकड़ी की जरूरत होती है। इनके लिये अलग जंगल छोड़ दें और बाकी जंगलों को राष्ट्रीय जंगल बनायें, मेरी समझ में वह सम्भव नहीं होगा। जहां तक मध्य प्रदेश का सम्बन्ध है और माननीय सदस्य वहां से आते हैं, वहां जंगल के नजदीक जो लोग रहते हैं या जंगलों में जो लोग रहते हैं, निस्तार राइट उन लोगों को है, उसको देख कर चला जा रहा है।

Cost of Production of Agricultural Commodities

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*715. **Shri Shree Narayan Das:**
Shri D. D. Puri:
Shri P. R. Chakraverti:
Shri S. N. Chaturvedi:
Shri D. J. Naik:
Shri Bibhuti Mishra:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any proposal for expanding the scope of cost of production studies to provide necessary data for determining the minimum prices of agricultural commodities has been finalised; and

(b) if so, the important features thereof?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). A proposal for conducting, on an extended basis, farm management studies which would provide, *inter alia*, information on cost of production of principal crops is under consideration. Such information is likely to be useful for the consideration of price policy as well as other related agricultural policies.

Shri Shree Narayan Das: How long will it take the Government to come to a final decision with regard to this?

Dr. Ram Subhag Singh: When I said in the main reply that it is under consideration, it does not mean that we have not yet started the thing. We have already taken up this matter at the official level and farm management studies are being conducted. Some reports have also been published. Besides, we set up a committee under the chairmanship of the Secretary, Agriculture, and that committee is examining the whole question as to how best to study the cost of production of different crops and what type of new machinery should be set up.

Shri Shree Narayan Das: May I know whether the whole question is being dealt with by the Directorate of Economics and Statistics or whether the co-operation of other non-official bodies, like, the Institute of Economic Growth and other organisations is being taken up by the Government in this matter?

Dr. Ram Subhag Singh: When we set up this committee under the chairmanship of the Agriculture Secretary we invited the representatives of the Statistics Division of the Planning Commission, Cabinet Secretariat as well as of the Agricultural Research Statistics Institute. It was our intention also to take the co-operation of other non-official bodies, but at that

time their representatives were not there in that meeting. But we will do it.

Shri S. S. More: May I know whether Government have reached any conclusion for the inclusion of the personal labour of the cultivator in the cost of production?

Dr. Ram Subhag Singh: Actually that is a point which I personally feel must be taken into consideration, because if we exclude the personal labour of the cultivator that would not be total cost of production.

Shri R. S. Pandey: In order to collect facts and figures regarding the cost of production, is it not advisable on the part of the Ministry to write to all the States to collect the necessary data as soon as possible?

Dr. Ram Subhag Singh: That we are doing. In fact, the Committee is carrying on a study in Madhya Pradesh wherefrom the hon. Member comes.

Shri Surendranath Dwivedy: May I know which are the commodities for which the cost of production was worked out by this Committee under the chairmanship of Secretary of the Ministry of Agriculture about which the hon. Minister mentioned just now and may I know whether any minimum price has been determined for any commodity for which this study has been conducted.

Dr. Ram Subhag Singh: This farm management study is being carried on since 1954-55 and they have given certain data which are taken into consideration at the time of fixing the minimum price. Besides, the I.C.A.R. is conducting studies in the cost of production of jute and cotton and the Committee which has been set up under the chairmanship of the Secretary, Ministry of Agriculture, is at present examining the whole matter and it might ask some other committees to go into various things.

Shri P. R. Chakraverti: May I know whether the Government is proposing to fix up a ceiling in terms of which the variations will be determined.

Dr. Ram Subhag Singh: This proposal is there because some other persons have also suggested this. We are examining the whole thing from various angles. Already, in cotton there is a ceiling fixed.

Shri A. P. Jain: Except for the purpose of utilising it as a rough basis, is it not a fact that experiments to work out the cost of production of agricultural products all over the world have not yielded satisfactory results?

Dr. Ram Subhag Singh: That is true.

Shri Ranga: Is it not a fact that in England and America and in small countries, like, Belgium, Holland and Denmark, not only experiments in cost of cultivation have been worked out but they are also from time to time being revised in relation to actual conditions that prevail from year to year? Why is it that the hon. Minister says that it has not succeeded anywhere else in the world just because he was prompted by the ex-Minister?

Dr. Ram Subhag Singh: I take this information also.

Shrimati Savitri Nigam: It is good that the hon. Minister has just now stated that a cost production study unit is to be constituted. May I know what arrangements have been made to give interim relief to the farmers by increasing the minimum price of agricultural commodities keeping in view the rise in cost of production?

Dr. Ram Subhag Singh: The hon. Member might have read in yesterday's papers that my esteemed colleague, Mr. Thomas, announced at Madras an increase of Rs. 2 in the minimum price of rice.

Shrimati Savitri Nigam: I am asking about all the commodities.

Dr. Ram Subhag Singh: I can give information when the notice is received.

Soil Conservation

*716. **Shri Bhagwat Jha Azad:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the efforts so far made for soil conservation in the catchment areas of the big river valley projects; and

(b) the steps being taken by the Union Government to expedite the necessary measures in this regard?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-2572/64].

Shri Bhagwat Jha Azad: May I know what amount has so far been spent out of the sum of Rs. 11 crores set apart for this purpose in the Third Plan as stated in the statement?

Dr. Ram Subhag Singh: As against the Plan target of 8 lakh acres in the Third Plan, an area of about 1·30 lakhs acres was treated with soil conservation upto 1962-63. I am giving it in terms of acreage as to what has been done. During 1963-64, about 1·58 lakh acres are likely to be covered.

Shri Bhagwat Jha Azad: May I know what is the response of the State Governments for setting up one single agency for the execution of such a project as mentioned in the statement?

Dr. Ram Subhag Singh: In some States they have acted according to this advice and in other States also, particularly in the D.V.C. area, most of the soil conservation programme is being handled there by the Soil Conservation Department. Of course, it is not so well-integrated in the sense the suggestion has been given. But it is worth noting.

Shri H. V. Koujalgi: May I know what steps are being taken for soil conservation in deep black soil areas?

Dr. Ram Subhag Singh: In the black soil areas of Maharashtra and Mysore, these river valley project schemes are not in operation, though, of course, in Maharashtra there is one Ghod scheme which was taken up only recently in 1963-64, but work has not yet been launched there. But dry farming methods are being pursued, and there has been a good deal of prorgess both in Maharashtra and Mysore.

श्री यशपाल सिंह : क्या सरकार यह बतला सकती है कि कितनी ट्रेनिन्ग संस्थायें इस मामले में उस ने कायम की हैं, और क्या यह सही है कि इस संरक्षण के लिये जितने ट्रेंड हैन्ड्स की जरूरत है उतने अभी मिल नहीं सके हैं।

डा० राम सुभग सिंह : यह काम बहुत बड़ा है। इस में करीब १६३·१६ मिलियन एकड़ ट्रीट करना है। आज हमारे यहां देहरादून में एक काफी अच्छा ट्रेनिंग सेंटर है। इसके अलावा और जगहों में भी है। लेकिन जितनी हमारी रिक्वायरमेंट है उसके बराबर अभी ड्रेनेज तैयार नहीं हुए हैं। इस लिए इन सारी चीजों को बढ़ाने की बात है।

Shri H. P. Chatterjee: The hon. Minister has referred to DVC. I want to ask whether the late soil conservator of DVC, Mr. R. M. Gourie had calculated that the Panchet dam would be filled up within 25 years according to one calculation, and according to another calculation within 30 years, and he had recommended a scheme of afforestation which would cost about Rs. 19·16 crores . . .

Mr. Speaker: Now, the hon. Member should come to the question. He is giving information and not asking for any information.

Shri H. P. Chatterjee: I shall be asking the question presently—and which would give a profit of about Rs. 1½ crores from the tenth year onwards. Another thing is that all our forest experts at Bhubaneshwar have recommended that . . .

Mr. Speaker: Now, he should come to the question straight. He should not reface such a long statement to his question, and keep the whole House waiting.

Shri H. P. Chatterjee: I am referring to all this, because otherwise, the hon. Minister may not be able to answer the question.

Mr. Speaker: He should not put his question if he thinks that the hon. Minister might not be able to answer it.

Shri H. P. Chatterjee: ....all our forest experts at Bhubaneshwar have recommended that 10 per cent of the money spent on the river valley projects should be given to afforestation. If so, may I know from the hon. Minister what is being done in the matter, because this is a very serious thing in all conscience, and all our dams will be filled up within a few years, and we have spent about a thousand crores of rupees on them?

Dr. Ram Subhag Singh: Actually, this is a very important question, because most of our dams are facing this danger. Therefore, we have been emphasising that whenever any big river valley project is taken up, along with the dam, the soil conservation measures should also be minutely studied and simultaneously efforts must be made in that regard. But in regard to the DVC, they have already constructed four big dams. The soil conservation programme there was undertaken only by the end of the First Five Year Plan. The entire allocation for all the big river valley projects for the Third Plan was only about Rs. 11 crores. So, despite the fact that I know the paper to which the hon. Member has referred, the sum of Rs. 9 crores could not be provided out of this amount. But that is an important point and Government will take notice of it.

श्री शिव नारायण : मैं यह जानना चाहता हूं कि इस स्वायल कंजर्वेशन प्रोग्राम के लिये सेंट्रल गवर्नमेंट केवल प्रदेश सरकार पर डिपेन्ड करती है या अपनी तरफ से भी कुछ पोर्शन देती है । क्या वह भी कुछ हैल्प करती है ?

डा० राम सुभग सिंह : असल में शेड्यूल्ड एरियाज में, जैसा कि स्टेटमेंट में लिखा गया है, ७५ प्रतिशत अनुदान दिया जाता है और २५ प्रतिशत कर्ज दिया जाता है ।

अध्यक्ष महोदय : जो स्टेटमेंट में लिखा हुआ है उसको बतलाने की जरूरत नहीं है ।

Shri Ramachandra Ulaka: May I know the total area brought under soil conservation in the catchments of Hirakud and Machkund and the total amount spent so far during the Third Five Year Plan?

डा० राम सुभग सिंह : हीराकुड में ऐलोकेशन किया गया है २ करोड़ का । मछकुण्ड एरिया में भी सर्वे किया जाता है । ३·०९ लाख एकड़ का सर्वे हो गया है । हीराकुड में १२·३४ लाख एकड़ में हो गया है । बाकी चीजें मैं बाद में दे दूंगा ।

Shri R. G. Dubey: What is the actual outcome of the soil conservation measures implemented so far in certain catchment areas?

Dr. Ram Subhag Singh: Wherever soil conservation measures have been taken, either in Chhalesar area near

Agra or in the Kunihar area (Himachal Pradesh) or in other areas, the results are very encouraging because the soil that was useless before is being very profitably used. Forest trees are coming up.

Production of Cotton

*717. **Shri Yashpal Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have assessed the cotton production in the country in 1963-64;

(b) the total amount of cotton still imported by our country annually; and

(c) by what time the country will be self-sufficient in this regard?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) No. The official estimate of production for 1963-64 will become available in May-June, 1964, when the All-India Final Estimate of Cotton 1963-64 is expected to be ready.

(b) India's annual imports of cotton during the last five years have been on an average about 8,36,000 bales (400 lbs each).

(c) In normal years India is self-sufficient in its requirements of medium and long staple cotton up to 1-1/16" staple length. Only cottons over 1-1/16" length are normally imported, and, even though efforts are afoot to increase the production of this type of cotton, it would take time to bring about an expansion in the production to the level of requirements.

श्री यशपाल सिंह: लांगस्टेपिल काटन की उपज को बढ़ाने के लिए सरकार क्या कर रही है ?

डा० राम सुभग सिंह : इधर लांग स्टेपिल काटन में काफी वृद्धि हुई है । उसके लिए अच्छे बीज, खाद और पानी वगैरह का इन्तिजाम किया जाता है । खास कर पंजाब में और गंगानगर के क्षेत्र में जहां सिंचाई की सुविधा है वहां इसकी काफी वृद्धि हो रही है ।

श्री यशपाल सिंह: इस मामले में भारत कब तक सेल्फ सफीशेंट हो जाएगा ?

डा० राम सुभग सिंह : जहां हम इम्पोर्ट की बात करते हैं कि ८ लाख ३६ हजार बेल्स बाहर से मंगाया जाता है, वहां हम लोग बाहर भेजते भी हैं । छोटे स्टेपिल की काटन हम बाहर भेजते हैं । उसकी मात्रा दो तीन लाख बेल्स होती है । जो इण्डस्ट्री की रिक्वायरमेंट है करीब ५४ लाख उससे वह ज्यादा पैदा होती । इसकी और भी जरूरतें यहां हैं । आज जो प्रगति हुई है वह ४५ लाख बेल्स से बढ़ कर ५५ लाख या ५७ लाख बेल्स हो जाएगी । यह प्रगति कम नहीं है ।

श्री विश्राम प्रसाद : मैं यह जानना चाहता हूं कि कुल जितनी रूई पैदा होती है उसमें लांग स्टेपिल काटन का अंश कितना है ?

डा० राम सुभग सिंह : मैंने मूल प्रश्न के उत्तर में कहा कि मई जून में फाइनल एस्टीमेट आएंगे । उस समय मैं निश्चित जवाब दे सकूंगा । एक एस्टीमेट आया था कि ६० लाख बेल्स इस साल पैदा होंगे, दूसरा एस्टीमेट आया कि ५७ लाख बेल्स होंगे । कोलड वेव और बाढ़ के कारण यह कमी हुई है । इसीलिए मैंने बहुत माडरेट तौर पर ५५ लाख बताया, इससे कम इस साल नहीं होगा । और हमारे यहां जो ड्राई एरिया है जैसे मध्य प्रदेश और गुजरात वहां लांग स्टपिल काटन नहीं होती, केवल इर्रीगेटेड लैंड में होती है । उसका प्रोपोरशन बाद में दूंगा, तो भी उसमें काफी वृद्धि हो रही है ।

श्री गुलशन : पंजाब में बिजाई के कुछ दिन बाकी हैं । बिजाई के बाद पंजाब में टिड्डी दल काफी आता है जिससे फसल को काफी नुकसान होता है । क्या सरकार टिड्डी

दलों को रोकने के लिए कोई कार्रवाई कर रही है ?

डा० राम सुभग सिंह : सन १९६२ में मैंने पंजाब में टिड्डी दल का आक्रमण खुद देखा है। उसके लिए पावर स्प्रयर्स की और हवाई जहाज से स्प्रे करने की व्यवस्था की गयी थी। अभी हम लोग सोच रहे हैं कि २५ प्रतिशत जो पैस्टीसाइड की किस्मानों को सबसिडी के रूप में मदद दी जाती है, अगर उसकी ज्यादा जरूरत हो तो उसकी जांच करेंगे। पंजाब में इसका खास तौर से काफी यूटीलाइजेशन हो रहा है।

Shri Liladhar Kotoki: May I know whether Government are aware that long staple cotton is grown in Garo Hills and some other hills in the State of Assam? In view of our need of long staple cotton, which we we are now importing, may I know what steps Government have been taking to expand the growing of long staple cotton in such areas?

Dr. Ram Subhag Singh: I know that in eastern India, particularly Garo Hills, Manipur, Nagaland hills and in our neighbouring country Bhutan, some good cotton is produced, though, of course, it is not enough for their own requirements, because there they prepare first class cloth, particularly in Manipur, and they are importing cotton from other States. This time I have taken a decision, and I will implement that idea, that some facility must be provided to these hilly areas for growing cotton.

Shri Balakrishnan: May I know whether Government is going to fix ceiling price for cotton so that the farmers are encouraged to increase production?

Dr. Ram Subhag Singh: Floor and ceiling prices have been announced for cotton, and they are in operation.

Shri Iqbal Singh: May I know whether it is a fact that since 1960-61 the area and production of cotton have been either stagnant or decreasing; if so, what are the causes?

Dr. Ram Subhag Singh: Production is not stagnant because year before last the production was 45 lakh bales, last year it was about 54 or 55 lakh bales and this year it is more than that. So, even if the area is stagnant, if the per acre yield increases, then we will be satisfied, because that is our objective.

श्री रामेश्वरानन्द : करनाल, अम्बाला, हिसार, रोहतक आदि में पहले पर्याप्त कपास होती थी, किन्तु बाढ़ और सैलाब के कारण अब बहुत कम होती है। क्या सरकार इस बाढ़ और सैलाब को रोकने के लिए कोई कदम उठा रही है ?

डा० राम सुभग सिंह : स्वामी जी को स्वयं अनुभव होगा कि बाढ़ और सैलाब को रोकने के लिए पंजाब सरकार काफी नाले निकाल चुकी है और निकालने का यत्न कर रही है, और यदि उनका कोई खास सुझाव होगा तो मैं उसे पंजाब सरकार को भेज दूंगा।

श्री रामेश्वरानन्द : उनके कारण और अधिक बाढ़ आने लगी है।

अध्यक्ष महोदय : आप बैठ जाइए।

Shri A. P. Jain: May I know the objective of the Government: (a) whether it is what is known as the autarchic concept of growing all types of cotton irrespective of economic considerations, or (b) to grow selective kinds of cotton based on economic considerations and the more you grow?

Dr. Ram Subhag Singh: Selective kinds.

Shri Hem Barua: He is using (a) and (b). The contagion is catching them also.

Mr. Speaker: He is the originator. The contagion has spread.

Shri Tyagi: He did not say "quote".

Mr. Speaker: I find that the habit is growing everywhere, and every supplementary is prefaced by a long statement.

Shri A. P. Jain: These are the two alternatives. I wanted to make it clear.

Mr. Speaker: That is the difficulty. Only four questions have been covered and half an hour is over.

He may reply to the question.

Dr. Ram Subhag Singh: I have replied. I said that our objective will be selective, though, of course, at present it is not possible to enforce it on every farmer that he should grow that type.

Consumer Co-operative Societies

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*718. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Dr. P. N. Khan:
Shri M. L. Dwivedi:
Shri Yashpal Singh:

Will the Minister of **Community Development and Co-operation** be pleased to state:

(a) whether any cases have come to the notice of Government that Consumer Co-operative Societies have sold consumer goods at higher rates than 'prescribed';

(b) if so, the number of such cases that have come to the notice of Government during 1963-64 so far;

(c) which are the commodities sold at higher rate; and

(d) the reasons for selling at such rate?

The Deputy Minister in the Ministry of Community Development and Co-operation (Shri Shyam Dhar Misra): (a) and (b). Yes, Sir. Two cases have come to the notice of the Government.

(c) Sugar.

(d) One society had made extra charge for the paper container in which sugar was supplied to the consumers.

The other society added transport charges from the wholesaler's shop to its retail shop, under the impression that it could recover such costs.

Shri Subodh Hansda: May I know the names of those societies?

Shri Shyam Dhar Misra: The names are: (1) Bharat Sevak Samaj Co-operative Stores, Nangloi, Delhi and (2) Alipur Multi-purpose Society, Alipur, Delhi.

Shri Subodh Hansda: May I know whether it has come to the notice of Government that a news item appeared in a weekly paper, *Organiser*, that a co-operative consumer society in Delhi sold iron and steel in black market, material which was intended for agricultural purposes and, if so, how far it is true?

Shri Shyam Dhar Misra: No such consumer society has been given iron and steel and, therefore, it must have been some marketing society. I am not aware of that.

श्री म० ला० द्विवेदी : दिल्ली सेंट्रल कोआपरेटिव स्टोर ने गुड़ को बहुत ऊंचे दामों पर बेचा, ८५ रुपये प्रति मन के हिसाब से बेचा और उस मुनाफ़ाखोरी को लेकर जो इतना होहल्ला मचा क्या वह मामला मन्त्री महोदय के ध्यान में नहीं आया, यदि आया था तो फिर अपने उत्तर में उन्होंने उसका जिक्र क्यों नहीं किया ?

श्री श्यामधर मिश्र : इसका उत्तर अलग से कुछ दिन हुए माननीय खाद्य मन्त्री ने दे दिया

था। उन्होंने बतलाया था कि उनके द्वारा कोई जुर्म नहीं हुआ था क्योंकि प्रैस्काइब्ड रेट उसका हुआ नहीं था। इसलिए उसकी बात इसमें इस वक्त आने की आवश्यकता नहीं थी।

श्री प्रकाश वीर शास्त्री : क्या मैं जान सकता हूं कि दिल्ली सेंट्रल कोआपरेटिव स्टोर को दैनिक उपभोग की कुछ ऐसी वस्तुओं के आयात की इजाजत भी दी हुई है जो कि बाहर से आती हैं और इन वस्तुओं को उन्होंने बाहर से मंगाने के बाद यहां पर उनको अधिक मूल्य पर बेचा, ऐसी शिकायत क्या आप को प्राप्त हुई है, यदि हां तो क्या उक्त कंज्यूमर्स स्टोर्स से इसका लाइसेंस वापिस लेने के प्रश्न पर सरकार विचार कर रही है ?

श्री श्यामधर मिश्र : ऐसी तो कोई शिकायत नहीं है दिल्ली सेंट्रल कोआपरेटिव स्टोर के बारे में कि वह किन्हीं इम्पोर्टेड आइटम्स को लेकर अधिक दामों पर बेचते हैं। कुछ तो मुनाफ़ा उन्हें करना ही चाहिए और इसलिए थोड़ा अधिक दाम उनको लेना पड़ता है। लेकिन कोई रेट ऐसा प्रस्काइब्ड नहीं है जिसके कि ऊपर उनको बेचना पड़े।

श्री यशपाल सिंह : क्या सरकार इसकी जानकारी देगी कि विभिन्न राज्यों में कंज्यूमर्स कोआपरेटिव स्टोर्स के ऐसे कितने इन्तजाम करने वाले लोग थे जिनका कि चालान किया गया और उनको सजाएं दी गईं ?

श्री श्यामधर मिश्र : हमने राज्य सरकारों से इस प्रश्न का नोटिस पाते ही इस बारे में पूछताछ की थी कि कितने इस तरह के मामले उनके यहां लाइट में आये हैं और पकड़े गये हैं। उनका उत्तर इस बारे में नकारात्मक आया है और उन्होंने जवाब दिया है कि उनके यहां कोई ऐसे इन्तजामात लाइट में नहीं आये हैं। अलबत्ता आन्ध्र प्रदेश के एक कंज्यूमर्स स्टोर पर एक इलजाम आया था जिसकी कि जांच हुई और यह साबित हुआ कि वहां भी इलजाम गलत है। इसलिए जहां तक मेरी जानकारी है। कहीं कोई चालान नहीं हुआ।

Shri Hem Barua: As is evident from the proceedings in respect of the Chief Minister of Punjab, it is quite clear that co-operatives are sources of corruption . . .

Shri A. P. Jain: It is a long introduction, Sir.

Shri Hem Barua: In view of that may I know what steps Government have taken to see that these co-operatives do not become the hot-beds of corruption.... (*Interruptions.*)

Shri Shyam Dhar Misra: It is a very general question. I cannot vouchsafe that there is no corruption in co-operatives; corruption may be anywhere; but the deduction made by hon. Member that co-operatives are full of corruption is not correct.

Shri Hem Barua: Did I say so?

Shri Shyam Dhar Misra: Steps are being taken to make bogus co-operatives good societies.... (*Interruptions*).

Shri Hari Vishnu Kamath: How can bogus ones be made good? Bogus is bogus, it goes.

श्री कछवाय : क्या यह बात सही नहीं है कि दिल्ली सेंट्रल कोआपरेटिव स्टोर द्वारा गुड़ की बिक्री में काफ़ी नायाज मुनाफ़ा कमाया गया है और उस घुटाले को लेकर काफ़ी यहां और बाहर शोर भी मचा और उसके खिलाफ़ क़ानूनी कार्यवाही की जब तरफ़ से मांग की गई लेकिन चूंकि उसके चेयरमैन दिल्ली के एक प्रमुख कांग्रेसी सदस्य हैं और उनकी इससे बदनामी न हो इसलिए पकड़े नहीं जा रहे हैं ? और उसके खिलाफ़ कोई कार्यवाही नहीं की जा रही है ?

श्री श्यामधर मिश्र : इसका उत्तर तफसील से कुछ दिन पहले खाद्य मन्त्री ने सदन में दे दिया है लेकिन फिर भी उन्हीं पुराने सवालों को इस अवसर पर दुहराया जा रहा है ।

श्री कछवाय : क्या यह सही नहीं है कि उसके चेअरमैन चूंकि दिल्ली कांग्रेस के एक प्रमुख सदस्य हैं इसलिए उनको बचाया जा रहा है ?

Shri U. M. Trivedi: When this question of prosecution of the office-bearers of the Delhi Central Co-operative Stores was considered, the Law Minister made out that proper information regarding everything concerning this matter was not placed before him. Has all information been furnished to him so that the culprits may be prosecuted?

Shri Shyam Dhar Misra: This question has been adequately dealt with by the Food and Agriculture Minister; and it relates to the Ministry of Food and Agriculture; it relates to a particular supply. I think he has amply answered the question and if at all any answer is needed, the question should be addressed to that Ministry.

Shri S. M. Banerjee: May I know whether this particular co-operative society which was shady is being given some dole or financial aid from this particular department and, if so, what is the amount given to them from 1962-63?

Shri Shyam Dhar Misra: As I said earlier, in reply to the question of Shri Subodh Hansda, two co-operative societies—one, the Bharat Sevak Samaj Co-operative Society and the other, Alipur Multi-purpose Co-operative Society—were involved. In the case of one, that is, the Bharat Sevak Samaj Co-operative Society, that is affiliated to the Delhi Consumer Co-operative Stores, the share capital money and some subsidy has been given. In the case of the Multi-purpose Co-operative Society, assistance is given in the form of some subsidy and also in the form of share capital. I do not know if share capital is given here.

Shri Nath Pai: Has the hon. Minister's attention been drawn to the consensus of opinion at a seminar which took place in the capital last week, where almost all the participants, among whom some were Ministers, came to the conclusion that the co-operative movement as a whole in this country has been a miserable failure—that being the particular expression used by one of the leading participants?

Shri Shyam Dhar Misra: It might have been the view of one leading or not leading participant. It is not the view of the Government. It has not failed; it is succeeding. In spite of failure, it has to succeed, and it is succeeding.

संयुक्त अरब गणराज्य से चावल का आयात

*७१६. **श्री ओंकार लाल बेरवा** : क्या **खाद्य तथा कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने संयुक्त अरब गणराज्य से चावल के आयात के लिए एक योजना बनाई है ;

(ख) यदि हां, तो कितना चावल आयात किया जायेगा तथा यह कब तक भारत पहुंच जायेगा और;

(ग) यह चावल किस भाव पर आयात किया जायेगा तथा किस भाव पर यहां बेचा जायेगा ?

खाद्य तथा कृषि मंत्री के सभा-सचिव (श्री शिन्दे) : (क) और (ख). २५ दिसम्बर, १९६३ को संयुक्त अरब गणराज्य से ३५,००० मीट्रिक टन चावल के आयात के लिये एक करार पर हस्ताक्षर हुए । चावल का लदान फरवरी, १९६४ से १०,००० मीट्रिक टन प्रति मास होना था ।

(ग) क्रय-मूल्य का बताया जाना जनहित में नहीं है । चावल का भारत में विक्रय-मूल्य इस की किस्म पर निर्भर होगा और उसका निर्धारण बाद में किया जायेगा ।

[(a) and (b). An Agreement was signed on the 25th December, 1963 for the import of 35,000 metric tons of rice from the U.A.R. The shipments were to be at a monthly rate of 10,000 metric tons starting from February, 1964.

(c) It is not in the public interest to disclose the purchase price. The price at which it would be sold in India will depend on the quality and will be settled later.]

Shri Ranga: What is it, Sir, what is the public interest? He should give us information as to the rate at which they have purchased the rice from UAR. It is most extraordinary.

श्री ओंकारलाल बेरवा : श्रीमन्, पहले तो मैं यह कहना चाहूंगा कि आखिर वह पब्लिक इंटरेस्ट है क्या जिसके कि कारण मंत्री महोदय ने कहा कि उसका क्रय मूल्य बताया जाना जनहित में नहीं है ? उनको मेरी समझ में यह बतलाना चाहिए था कि कितना चावल किस भाव में खरीदा ।

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): It is on Government account, and as a Government we are dealing with other countries. It is not in our interest to disclose the price at which we purchased it from one country. It will lead to embarrassing situations.

श्री ओंकार लाल बेरवा : मैं जानना चाहूंगा कि देश में चावल की कितनी कमी है और वह अरब गणराज्य के अलावा और किन किन देशों से मंगाया जा रहा है ?

Shri Hari Vishnu Kamath: On a point of order, Sir. If I remember aright, you have held on an earlier occasion, about a year and a half ago, when the former Defence Minister was on the mat, when he was answering questions, that the ultimate judge is yourself; the Minister may claim that it is in the public interest not to disclose something, but you did interfere on that occasion and you did force him to give the answer, saying that you were the ultimate judge and not the Minister, as to what constitute public interest. It may be in the interest of the Government, but it should not be made synonymous or coterminous with public interest.

Mr. Speaker: When I keep silent, that means that I agree with him.

Shri Hari Vishnu Kamath: It is somewhat unfortunate.

Mr. Speaker: There are many things that are unfortunate, but still they happen.

Shri Ranga: In view of the prices that are prevailing in the country, we want to know the price at which this rice has been purchased from the UAR. The Minister says that it is not in the public interest to disclose it. How is it?

Mr. Speaker: I do not know how to explain it. If the Government is to be run by the party in power, they have that advantage, and they must be given certain privileges, and they must have that facility to run the administration.

Shri Ranga: It is not Defence or Home.

Mr. Speaker: That is not necessary. Even if private agreements are entered into with certain firms or other parties, they want to keep that secret, and sometimes there is a condition that such and such things should not be disclosed to anybody else because those firms or those countries might have dealings with others also.

and then they are put in an embarrassing position. Therefore, we have to understand that it is not only defence, but there are certain other matters also where they feel that it is in the public interest that that information should not be given.

Shri U. M. Trivedi: The explanation must come from the Minister that the reason is that they have entered into a gentleman's agreement with the party concerned that this disclosure was not to be made.

Mr. Speaker: Ordinarily it is his privilege to claim that it is not in the public interest and I have to allow him that discretion. Whenever there is any doubt, of course, I can look into it and satisfy myself. Otherwise, it is his privilege.

Shri Hari Vishnu Kamath: I would implore you, as the custodian of the rights and privileges of this House to ensure that the Government does not abuse that privilege on every occasion.

Shri Nath Pai: I want to reiterate the same humble submission that this should not be used by the Ministerial Benches as a shield or cover to withhold information which the House is legitimately entitled to have. Either to withhold or to plead ignorance, in either case, they just promptly say that it is not in the public interest. This is not the first occasion that we have had to seek your protection in getting from them what is our due.

Shri Surendranath Dwivedy: May I know whether there is a condition in the agreement with UAR that the prices will not be disclosed by both countries or it is only binding on us and they can disclose it?

Shri A. M. Thomas: It is not a condition of the agreement as such. But as indicated by you, UAR has got agreements with other countries also. We also enter into transactions with other countries. Therefore, that country also will not like to disclose the price at which they sell to one particular country and we also would not like to disclose at what price we have purchased. As I have already indicated, it may lead to an embarrassing situation in our negotiations with other countries. I think it is a very healthy convention and it is in the best interests of our finances too that we do not disclose such things.

Mr. Speaker: Is it the desire, expressed or implied, by the UAR that this should not be disclosed or is this Government using its own discretion that it would not be in public interest to disclose it?

The Minister of Food and Agriculture (Shri Swaran Singh): I myself was in UAR some months before these negotiation started. To negotiate the price is a delicate and difficult task. Sometimes concessions are shown which they do not want to show to other countries and they do not want it to be publicly known that this purchase has been made at a particular price. Then again when we are purchasing from a number of countries, if we give the purchase price from a particular country and from another country we are purchasing at a much lower rate, in those countries also sometimes tensions and pressures can be brought as to why that particular country is selling to another country at a lower rate. Therefore, this is the normal convention, where both the supplying countries as well as the receiving countries, in their own interest, do not publicly disclose the terms of the purchase. As you yourself pointed out, if there is anything objectionable, surely it can be looked into, but these are things which are not mentioned. So, impliedly, in the course of these negotiations, when we make enquiries as to what are the prices at which they sell to others, we find that they do not tell us and they also tell us, "You also do not tell the prices that are charged by this country".

Mr. Speaker: Members are only anxious that we might not pay them

a price greater than what they are charging from other countries.

Shri Swaran Singh: We are fully satisfied about that point.

Shri Ranga: Sir, it was also within your knowledge that when we sold sugar to America, we did publish at what price we were selling. There was an agreement between America and ourselves, but all these objections were not raised at that time.

Shri Hari Vishnu Kamath: Sir, I seek a clarification. It the Minister in a position to tell the House as to whether in the dealings entered into by the UAR Government with some other countries in respect of rice the prices agreed to among themselves have not been disclosed by the governments of those other countries also?

Shri Swaran Singh: No, Sir; to our knowledge that has not been done.

Shri Nath Pai: In matters like this, how does he claim that he is satisfied?

Mr. Speaker: Order, order, Let us go to the next question.

श्री ओंकार लाल बेरवा: अध्यक्ष महोदय, मैंने कोई सप्लीमेंटरी नहीं पूछा है । मेरा प्रश्न हो और मुझे कोई सप्लीमेंटरी न पूछने दिया जायें ?

अध्यक्ष महोदय : मुझे अफ़सोस है । अगर माननीय सदस्य सप्लीमेंटरी नहीं पूछ सके, तो मैं उनको अगली दफ़ा मौका दे दूंगा ।

Delayed Delivery of Mail

*723. **Shri D. C. Sharma:** Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) whether Government have recently gone into the causes of slow transmission and delayed delivery of the various articles of letter mail; and

(b) if so, the result of such investigation and the steps taken or proposed to be taken in the matter?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) and (b). Cases which come to notice of Government regarding delay in transmission and delivery of mails are invariably investigated and remedial action taken. In addition, the important mail lines are frequently tested by posting of trial cards and test letters. The results have generally been satisfactory but where defects have come to notice necessary instructions have been issued for removing the bottle-necks or revising the routing arrangements.

Shri D. C. Sharma: May I know what kind of bottle-necks have come to the notice of the hon. Minister, and how he has been able to get rid of them so far?

Shri Bhagavati: Sometimes the IAC is not able to carry the full load of mails that we want them to carry. A certain quota is fixed and if the load is more than that they refuse to carry the excess quantity. Then, sometimes the human factor is involved and in sorting there are mistakes as a result of which there is delay. We have taken steps to correct all these defects. We have tightened up supervision. We have also taken steps to see that the routing arrangements are such that there is no delay.

Shri D. C. Sharma: There was a time when complaints made to this Ministry were attended to very promptly. May I know what is the time lag now between the receipt of a complaint and the disposal of that complaint? May I know whether the interval of time has increased much more than before or it has become less than before?

Shri Bhagavati: All the complaints are immediately enquired into. Sometimes it takes time to give replies. We have got about 40,261 complaints.

Shri D. C. Sharma: In one month?

Shri Bhagavati: In one year. And, the percentage of these complaints is less than 1 per cent. In 1962 the percentage was 0.0093 and in 1963 it was 0.0087. Therefore, it has come down.

Shri D. C. Sharma: Sir, I want to seek one clarification. What does the hon. Minister mean by .0093 and .0087?

Mr. Speaker: Order, order—Shri Vishram Prasad.

श्री विश्राम प्रसाद : क्या सरकार के ध्यान में यह बात आई है कि आजमगढ़ जिले में पोस्ट आफ़िसिस चिट्ठियों को दूसरों से भिजवाते हैं और वे हर सौ रुपए के मनी-आडर पर एक रुपया अपनी जेब में रख लेते हैं; यदि हां, तो सरकार इस सम्बंध में क्या कर रही है ?

अध्यक्ष महोदय : यह सवाल तो डिले के बारे में है ।

श्री विश्राम प्रसाद : डिले इसी लिए तो होती है ।

अध्यक्ष महोदय : रुपया ले लेना तो डिले नहीं है ।

श्री काशी राम गुप्त : क्या सरकार को इस बात की भी जानकारी है कि लोग देरी के सम्बंध में शिकायतें इसलिए भी नहीं करते हैं कि छः छः महीने तक उनको जबाब नहीं पहुंचता है ।

Shri Bhagavati: Sir, I do not think there is so much delay. We enquired into the causes of delays in 1962. We found that the maximum percentage of delayed articles was less than 1 per cent. The maximum percentage was found in mis-direction. We have taken steps for effecting improvement in that section.

श्री यशपाल सिंह : क्या सरकार को मालूम है कि मैंने सैकड़ों दफा कम्प्लेंट की है कि मेरा गांव पनियाला है और पनियाला की चिट्ठियां पटियाला भेज दी जाती है और पटियाला की चिट्ठियां पनियाला भेज दी जाती हैं और इस कारण से दस दस और पंद्रह पंद्रह दिन चिट्ठियां लेट हो जाती हैं, यदि हां, तो इसके बारे में सरकार ने क्या उपाय किया है ?

अध्यक्ष महोदय : आप नाम तबदील कर लें तो अच्छा रहेगा ।

Shri Hem Barua: May I know if it is not a fact that often express letters are not delivered and when complaints are lodged with the post offices the usual reply is that "we do not maintain any record of express letters"? In view of this, may I know whether Government have any proposal to maintain records of express letters? This is my personal experience.

Shri Bhagavati: We invariably enquire into the complaints whenever they are received. It is true that we do not keep any records of express letters. But when we get complaints, we look into them and take remedial measures.

Shrimati Savitri Nigam: How much money has been refunded against late delivery of telegrams and how many telegrams have been sent by post by the Postal Department?

Mr. Speaker: Here we are concerned only with letters, not telegrams.

Shri Shree Narayan Das: May I know whether the attention of the Government has been drawn to the fact that in a large number of cases telegrams are sent by post?

Shri Bhagavati: Here the question relates to postal letters.

श्री म० ला० द्विवेदी : ५ मार्च १९५३ को जो तार मैंने दिया था वह आज तक नहीं पहुंचा है । क्या माननीय मंत्री जी बतायेंगे कि इसका क्या कारण है ?

Shri Bhagavati: This question does not relate to telegrams.

Shri U. M. Trivedi: May I know whether one of the reasons for this inordinate delay is non-clearance and non-delivery of letters on Sundays? If the train leaves at 12.55, then to allow that mail to remain in the station, the clearance time is put as exactly 12 so that in case it is Saturday the mail need not go that day because after 12 O'Clock it is Sunday, a holiday. Is it a fact that even if the train leaves after 12, the clearance time is put either as 12 or after 12 deliberately to delay the carriage of mails?

Shri Bhagavati: We have no such purpose. Further, the railways have their own time-table.

Shri U. M. Trivedi: I am talking of clearance.

Shri Bhagavati: We fix the time for clearance in the normal course. There is no reason to doubt that the delay is deliberate.

Shri Ranga: How far is this delay being caused because the postal authorities are obliged to accommodate the censor, especially of letters and other correspondence addressed to Opposition Members in Parliament as well as in the State Legislatures?

Shri Bhagavati: It is not so.

Shrimati Yashoda Reddy: Is it not a fact that many foreign magazines, calendars and picture books meant even for Members of Parliament do not reach them because they are pilfered on the way by P. & T. employees?

Mr. Speaker: That is supplying information. Next question.

Derailment of Bombay-Secunderabad Express

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*724. **Shri Kachhavaiya:**
Shri Kapur Singh:
Shri Narasimha Reddy:
Shri Onkar Lal Berwa:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Bombay-Secunderabad Express was derailed on the 9th March, 1964 between Thakurli and Kalyan Stations of Central Railway;

(b) if so, the number of passengers who sustained injuries and the estimated loss thereof; and

(c) the causes of the accident and whether any enquiry has been ordered?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) As a result of the accident, eight persons were injured of whom one sustained grievous injuries. The cost of damage to railway property has been assessed at Rs. 84,200/- approximately.

(c) The Additional Commissioner of Railway Safety, Bombay has held his statutory enquiry into the accident. His report is awaited.

श्री कछवाय : समझ में नहीं आया क्या कहा है । हिन्दी में करवा दें तो सवाल मैं पूछूं ।

खाद्य तथा कृषि मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : (क) जी हां ।

(ख) इस एक्सीडेंट के चलने आठ आदमियों को चोट लगी जिन में से एक

आदमी को कुछ ज्यादा चोट लगी । जो क्षति हुई वह करीब ८४,२०० रुपये की हुई ।

(ग) एडीशनल कमिशनर, रेलवे सेफ्टी, बम्बई, ने इस एक्सीडेंट की जांच की है । उसकी रिपोर्ट की प्रतीक्षा की जा रही है ।

श्री कछवाय : जनवरी १९६३ से अब तक कितनी गाड़ियां पटरी से उतरी हैं और इनके उतरने का क्या प्रमुख कारण रहा है ?

Shri S. V. Ramaswamy: Notice of a separate question may kindly be given. I cannot answer it off-hand.

श्री कछवाय : यह जो कहा गया है कि जांच की जा रही है, यह कब तक पूरी हो जाएगी और इस जांच के परिणाम कब तक हमें मालूम हो सकेंगे ?

Shri S. V. Ramaswamy: The report is awaited. That was my answer.

Mr. Speaker: It is almost complete.

श्री बड़े : आपने कहा है कि ८४,२०० का लास हुआ है । क्या आप बता सकते हैं कि आदमियों का जो लास हुआ है, उसको देखते हुए कितने आदमियों ने आपके खिलाफ क्लेम दायर किये हैं और कितने के किये हैं ?

Shri S. V. Ramaswamy: No claims have been preferred; so, no loss.

Shri S. M. Banerjee: It appears that the number of accidents has increased again. Therefore I would like to know as to what concrete steps have been taken to see that the number of accidents which was reduced in 1962 and which had increased in 1963 does not increase in 1964.

The Minister of Railways (Shri Dasappa): A very comprehensive report of the Kunzru Committee is before us and already we have been taking steps on that. I am sure that the accidents position will be very much better in the months to come. But I do not agree with him that accidents as a whole have increased recently.

श्री ओंकार लाल बेरवा : इसकी जांच में जहां तक पता लगा है, तीन फिश प्लेट्स निकाली गई थीं और एक पाकिस्तानी पकड़ा गया था, क्या यह सही है ?

Shri S. V. Ramaswamy: We have no idea with regard to this.

श्री यशपाल सिंह : क्या यह सही है कि जिस रेलवे आथोरिटी को इनक्वायरी करने का काम सौंपा जाता है, वह आई वाश करने की कोशिश करती है ? क्या सरकार गौर कर रही है कि इस तरह की इनक्वायरीज किसी इंडीपेंडेंट जज को आगे से सौंपी जानी चाहिए ?

Shri S. V. Ramaswamy: This enquiry is held by the Additional Commissioner of Railway Safety who is under the Ministry of Transport. He is an independent authority.

Shri D. C. Sharma: Is it not a fact that accidents based on derailments are much greater in number in this country than in any country of the world where railways are operating?

Shri Dasappa: I do not admit at all that the percentage of derailments in our country is any more than in other places. There is no such thing.

Shri Jashvant Mehta: What steps have the Government taken after receiving the Kunzru Committee's report and when will Government lay on the Table of the House a statement showing the action taken on this report?

Shri S. V. Ramaswamy: Several recommendations of the Kunzru Committee have been accepted and are in the process of implementation.

WRITTEN ANSWERS TO QUESTIONS

India-Yugoslavia Ship-building Cooperation

*720. { Shri Ram Harkh Yadav: / Shri Maheswar Naik:

Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that India and Yugoslavia have agreed to establish closer co-operation in the field of shipping and ship-building as a result of the discussion the Yugoslav Economic Mission had with the Government of India; and

(b) if so, the main features of the agreement?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) and (b). During the recent talks between the Yugoslav Economic Mission and the Trade and Economic Delegation of India, stress was laid on the importance of intensive co-operation between Yugoslavia and India in the field of shipping and ship-building and it was agreed that both sides would explore the possibilities of such co-operation and would also arrange for consultations between technical teams representing the ship-building industries of the two countries.

पशु-बीमा

*७२१. **श्री दे० शि० पाटिल** : क्या **खाद्य तथा कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार पशु-बीमा योजना लागू करने का विचार कर रही है ;

(ख) यदि हां, तो उसकी मुख्य बातें क्या हैं ?

खाद्य तथा कृषि मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : (क) और (ख). जी हां, पशु-बीमा सम्बंधी एक मार्गदर्शी आदर्श योजना सरकार के विचाराधीन है ।

Price of Sugar

*722. **Shri P. C. Borooah:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether in view of the shortage in sugar production during the current year 1963-64, Government have of late devised some special measures to check the rise in sugar prices; and

(b) if so, the methods to be adopted for the purpose?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) and (b). The trends of production in 1963-64 uptil now indicate that it might be possible to maintain supplies near to the level of supplies during the period of control in 1962-63. The question of devising special measures at this stage does not arise, but existing arrangements for distribution could be improved upon in consultation with State Governments.

Accident on Road Bridge near Alamuru

*725. { Shri P. Venkatasubbaiah: / Shri E. Madhusudan Rao:

Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that some persons including a Divisional Engineer (Highways) were recently killed in an accident on the road bridge under construction across the river Goutami near Alamuru in Andhra Pradesh;

(b) if so, the particulars thereof; and

(c) whether any enquiry has been ordered in the matter?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) to (c). The Bridge has got 48 spans of 160 ft. each and each span has 5 prestressed Concrete beams to support the deck carrying the roadway. The prestressed Concrete beams are cast on the bank and launched on to the spans, starting from one end, by a launching truss weighing 140 tons, with a length of 330 ft.

2. Prestressed Concrete beams had already been launched on 14 spans (4 in each.) On 2nd March 1964 evening, the launching truss was being launched from the 14th to 15th span, travelling on the 4 prestressed Concrete beams already put on the 14th span. The Divisional Engineer was at that time standing on the beams on 14th span and supervising the operations. The Craftsmen operating the winches were on the launching truss. After the truss had moved about 70 ft. from the 14th pier, the Prestressed Concrete beams suddenly gave way with a teriffic sound, and all the persons on the beams fell down to the river bed. As a result, the men engaged on the operations, including the Divisional Engineer, came down along with the beams. In spite of the first aid rendered, 7 people died on the spot, including 5 operators, the Divisional Engineer, Sri A. N. Damodaram Naidu, and another gentleman by name Shri A. S. Raju who was watching the operations, standing by the side of the Divisional Engineer (Highways). Three other men who were injured were rushed to the General Hospital at Kakinada, and they are progressing well in the Hospital.

3. Immediately on hearing about the accident, the Superintending Engineer (Highways), Kakinada, the Deputy Chief Engineer (Highways) and the Divisional Engineer (Designs) rushed to the spot. As per their investigation, there is no defect either in workmanship, or designs or launching arrangements. The only possible cause for the failure of the beams according to the State Chief Engineer could be a sudden slipping of the trollies from the rails, i.e. a derailment similar to a train derailment, and producing severe impact loads on the prestressed Concrete beams leading to their failure. A very large number of prestressed concrete spans have already been constructed in this country and no such derailment has been reported before. Hence such an accident could not have been anticipated.

4. The State Government have set up an enquiry Committee, on which there is a representative of the Roads Wing of this Ministry also. The Committee has started its work and is expected to conclude its findings very shortly.

Explosion at the Railway Yard at Ajni

*726. **Shri Hari Vishnu Kamath:** Will the Minister of **Railways** be pleased to refer to the statement made by him in response to a Calling Attention Notice on the 3rd December, 1963 and state:

(a) whether the inquiry into the explosion at the railway yard, Ajni, near Nagpur, has since been completed; and

(b) if so, the result thereof?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy) (a) Yes.

(b) The Committee have come to the conclusion that the explosion was caused by the wrong loading of consignments of detonators and Potassium Chlorate into the wagon. The exact cause of ignition could not, however, be established.

Pakistan-China Air Agreement

*727. **Shri Maheswar Naik:** Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that an air pact has been signed by China and Pakistan for the air service to be established between the two countries;

(b) if so, whether details of routing and the consequent implications arising therefrom have been examined by the Government of India; and

(c) the reaction of Government thereto and whether any action is proposed to be taken thereon?

The Deputy Minister in the Ministry of Transport (Shri Mohiuddin): (a) to (c). Yes, Sir, According to the Air Agreement between Pakistan and China, an airline designated by Pakistan can fly from a point in Pakistan via or not via third countries to Canton and Shanghai in China and beyond to third countries. Correspondingly, an airline designated by China can fly from a point in China via or not via third countries to Dacca or Lahore and Karachi in Pakistan and beyond to third countries. According to recent Press Reports, Pakistan International Airlines would take the Dacca-Kunming-Canton and Shanghai route. The Government of Pakistan have not so far approached the Government of India for any overflying facilities connected with their China service.

Aggricultural Education

*728. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri N. R. Laskar:
Shri Maheswar Naik:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there is any extensive programme for agricultural education in our country;

(b) the number of universities set up for this purpose;

(c) whether there is any uniform standard of course for all the Universities; and

(d) if not, whether Government propose to standardize the course,

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) to (d). A statement giving the information required is laid on the Table of the House. [*Placed in Library. See* No. LT-2573/64].

Productivity of Livestock

*729. **Shri D. C. Sharma:**
Shri Maheswar Naik:
Shri Ram Harkh Yadav:

Will the Minister of **Food and Agriculture** be pleased to state the steps taken or proposed to be taken to raise the productivity of livestock in the country?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): Development of livestock is the responsibility of the State Governments who have undertaken a number of development schemes in their respective areas. The Government of India have also sponsored, under the Five Year Plans, several livestock development schemes which are designed to raise the productivity of livestock in the country. The State Governments have been advised to accord higher priority to the implementation of animal husbandry and dairy development programmes during the remaining periods of the IIIrd Five Year Plan. The Agricultural Production Board will also bring about the expeditious implementation of the programmes. Greater attention is proposed to be devoted to Animal Husbandry and Dairying during the 4th Plan. Working Groups have already been set up to draw up detailed programmes in this direction.

Derailment of Wagons of a Goods Train

*730. { **Shri Kapur Singh:**
Shri Narasimha Reddy:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a number of wagons of a goods train were derailed between Ollur and Trichur Stations on the Southern Railway on the 9th March, 1964; and

(b) if so, the causes of the accident?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir. The derailment occurred within the station limits of Ollur station.

(b) The accident was enquired into by a Committee of Railway Officers according to whom, the accident was due to a split at the points occasioned by the brake hanger of the tender of the engine falling down, and striking against the points stretcher bar and bending it.

Import of Rice from Burma

*731. **Shri P. C. Borooah:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether India has signed an agreement for the purchase of 1,50,000 tons of Burmese rice; and

(b) if so, the main terms thereof?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) Yes, Sir.

(b) The quality of rice is Ngasein full-boiled variety. The shipments have to be completed by the end of September, 1964, the price being payable in pound sterling.

लखनऊ में रेलवे कैरिज स्टोर में आग

*७३२. { **श्री ओंकार लाल बेरवा :**
श्री विश्वनाथ पाण्डेय :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ११ मार्च, १९६४ को रेलवे कैरीज स्टोर, लखनऊ में आग लग जाने के कारण कई लाख रुपयों का नुक्सान हो गया है ; और

(ख) यदि हां, तो आग के क्या कार हैं ?

रेलवे मंत्रालय में उपमंत्री (श्री सें० वें० रामस्वामी) : (क) दुर्घटना ११-३-१९६४ को नहीं बल्कि १०-३-१९६४ को हुई। १३ निकम्मे सवारी डिब्बों और एक माल डिब्बे में आग लगी। लगभग केवल ७,००० रुपये का नुक्सान का अनुमान है ।

(ख) पुलिस ने दुर्घटना-स्थल पर जांच की और इस नतीजे पर पहुंची है कि माल डिब्बा यार्ड में खड़े निकम्मे सवारी डिब्बों में लापरवाही से सिगरेट या बीड़ी का टुकड़ा फेंकने के कारण आग लगी।

Delhi Milk Scheme

*733. **Shri Subodh Hansda:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that there is a proposal to hand over the Delhi Milk Scheme to the proposed Metropolitan Council or other local bodies;

(b) whether this proposal was resented by the employees concerned; and

(c) if so, the reaction of Government thereto?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) and (b). Yes.

(c) The proposal is under consideration.

Sheep Breeding Farm in Kulu

1415. Shri Hem Raj: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the progress made in the setting up of the Sheep Breeding Farm in Kulu; and

(b) the expenditure so far incurred on it and the total expenditure involved in the scheme?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Work on setting up the sheep breeding research sub-station in Kulu was taken up only during 1963-64.

Out of the 1500 acres the Government of Punjab have agreed to make available for setting up the sub-station, possession of about 30 acres has been obtained which is being cleared and developed. Nucleus staff has been appointed. Plans and drawings for the construction of buildings are being prepared. Experimental sowing of fodder and forage crops has been undertaken. Construction of sheep pens and paddocks has been taken up. A flock of 70 sheep from New Zealand has been obtained.

(b) So far about Rs. 30,000/- has been spent out of the total outlay of Rs. 7 lakhs.

Locomotives

1416. Shri Hem Raj: Will the Minister of **Railways** be pleased to state:

(a) the number of diesel and electric locomotives existing at present;

(b) their distribution, zone-wise; and

(c) the break up of these locomotives of the B.G., M.G. and N.G.?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) to (c). The position as on 31-1-1964 was as under:—

Railway	B. G.		
	Diesel Main line	Diesel shunting	Electric.
Central	70	22	102
Eastern	81	3	66
Northern	72	15	
Notheast Frontier	..		..
Southern	17		..
South Eastern	85		69
Western	..	13	..
TOTAL	325	53	237

Railway	M.G.		N.G.		Total	
	Diesel Main line	Diesel shunting	Electric	General purpose	Diesel	Electric
Central				3	95	102
Eastern					84	66
Northern				5	92	
Northeast Frontier	58				58	
Southern			4		17	4
South Eastern					85	69
Western	22	7			42	
TOTAL.	80	7	4	8	473	241

Roads and Bridges in Orissa

1417. Shri Ramachandra Ulaka: Will the Minister of **Transport** be pleased to state:

(a) the total amount allotted to Orissa for construction of roads and bridges in the State during 1963-64;

(b) the manner in which the sanctioned amount was utilised during 1963-64; and

(c) the amount proposed to be given to the State for the said purpose during 1964-65?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) and (c). The requisite information is as under:—

	Amount allotted or proposed to be allotted to the Govt. of Orissa during 1963-64	Probable amount to be given to the Govt. of Orissa during 1964-65
		(Rs. lakhs)
National Highways	325·64	316·30
Schemes financed from the Central Road Fund	13·28	15·00
State Roads of Inter-State or Economic Importance	6·71	5·00
	345·63	336·30

(b) The amounts have been and will be utilised on the construction of specific road and bridge projects approved by the Central Government.

C.D. Blocks in Orissa

1418. Shri Ramachandra Ulaka: Will the Minister of **Community Development and Cooperation** be pleased to state:

(a) The total amount given to the Orissa Government for Community Development Blocks during 1963-64 so far; and

(b) The amount proposed to be given to Orissa for the purpose during 1964-65?

The Deputy Minister in the Ministry of Community Development and Cooperation (Shri B. S. Murthy):

(Rs. in lakhs)

	Loan	Grant	Total
(*a*) 1963-64	89·50	134·67	224·17
(*b*) 1964-65 (proposed to be allocated)	117·12	176·57 (Tentative)	293·69

National Highways in Orissa

1419. Shri Ramachandra Ulaka: Will the Minister of **Transport** be pleased to state:

(a) the total mileage of National Highways in Orissa as on the 31st December, 1963;

(b) the names of those Highways;

(c) whether there is any proposal to include other roads under this scheme; and

(d) if so, the details thereof?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) 852.5 miles.

(b) The names of the National Highways in Orissa together with their individual mileages are given in the following table:—

National Highway No.	Name of the National Highway.	Mileage
5	Calcutta-Cuttack-Vizag-Madras	
6	Dhul'a-Nagpur-Samba!pur-Calcutta	289.5
42	Samba'pur-Cuttack	163
43	Raipur-Vizianagram	95
		852 5

(c) No, Sir

(d) Does dot arise

Telephones and Telephone Exchanges in Orissa

1420. Shri Ramachandra Ulaka: Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) the total number of telephone exchanges and telephones in Orissa as on the 31st December, 1963;

(b) whether there is any proposal to increase this number during 1964-65; and

(c) if so, the details thereof?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) Total Exchanges: 39 Total Telephones: 7278

(b) Yes.

(c) It is proposed to increase the number of telephones by about 900 by the expansion of the following main exchanges and other small exchanges and also by opening 8 new exchanges:

(1) Sambalpur Exchange from 400 to 720 lines.

(2) Berhampore Exchange from 400 to 720 lines.

(3) Bhubaneshwar Exchange from 800 to 1080 lines.

The new exchanges are proposed at:—

1. Birmitrapur
2. Brajrajnagar
3. Chandbali
4. Kantanbanji
5. Nayagarh
6. Paradip
7. Rajnagar
8. Soro

Upgrading of Psst Office in Orissa

1421. Shri Ramachandra Ulaka: Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) whether there is any proposal to convert a few Sub-Post Offices into Head Post Offices and Branch Post Offices into Sub-Post Offices in Orissa during 1964-65; and

(b) if so, the details thereof.'

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) Yes,

(b) A statement is laid on the Table of the House. [*Placed in Library, See* No. LT-2579/64].

Lighthouse at Badagara

1422. { **Shri A. V. Raghavan:** **Sari Pottekkatt:**

Will the Minister of **Transport** be pleased to state:

(a) the up-to-date progress made in the matter of constructing a pier and a lighthouse at Badagara;

(b) whether the design and estimate of the above works have been completed; and

(c) when the work will commence?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) to (c). The executive responsibility for development of Ports other than major ports vests in the State Government. The Government of Kerala have finalised the plan and design of the pier at Badagara and have also sanctioned an estimate of Rs. 8.69 lakhs for the purpose. The design and plan of the lighthouse has not however yet been finalised by the State Government.

सुलतानपुर स्टेशन के समीप लोको शेड

१४२३. **श्री रणजय सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के सुलतानपुर स्टेशन, उत्तर रेलवे के समीप जो लोको शेड है, वह कब बनाया गया था ;

(ख) उस के निर्माण में कितना व्यय हुआ ;

(ग) क्या यह वहां से हटाया जा रहा है ;

(घ) यदि हां, तो क्यों तथा उसे कहां ले जाया जा रहा है ; और

(ङ) उसकी वर्तमान इमारतों का क्या किया जायेगा ?

रेलवे मंत्रालय में उप मंत्री (श्री सें० वें० रामस्वामी) : (क) ३१ मार्च, १९६१ ।

(ख) लगभग ११,५०,००० रुपये ।

(ग) से (ङ). इस समय सुलतानपुर से लोकोशेड हटाने का कोई प्रस्ताव नहीं है । मुगलसराय और सहारनपुर के बीच सभी सीधी मालगाड़ियां डीजल रेल इंजन से चलायी जा रही हैं, इस की वजह से सुलतानपुर सहित पूरे लखनऊ डिवीजन में भाप रेल इंजनों की संख्या काफी कम हो जाने की आशा है । सुलतानपुर शेड में भाप रेल इंजनों की संख्या कम हो जाने से वहां कुछ छादार जगह खाली हो जायेगी । इस तरह जो जगह खाली होगी, वहां सवारी और माल डिब्बों में भारी मरम्मत के लिये डिपो बनाने की संभावना पर विचार किया जा रहा है ।

स्टेशनों पर नोटिस बोर्ड तथा साईन बोर्ड

१४२४. **श्री रणजय सिंह** : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) कुछ वर्ष पूर्व रेलवे प्रशासनों को यह आदेश दिया गया था कि स्टेशनों पर सामान्यतः जो नोटिस व साइनबोर्ड लगाये जाते हैं वे सब हिन्दी, अंग्रेजी और प्रादेशिक भाषाओं में लिखे जायें ;

(ख) क्या यह सच है कि दक्षिण रेलवे पर बहुत से स्टेशनों पर साइन बोर्ड अभी हिन्दी में नहीं लिखे गये हैं ; और

(ग) यदि हां तो इस के क्या कारण हैं ?

रेलवे मंत्रालय में उप मंत्री (श्री सें० वें० रामस्वामी) : (क) जी हां ।

(ख) जी नहीं ।

(ग) सवाल नहीं उठता ।

रेलवे कार्यालयों के नाम पट्ट

१४२५. **श्री रणजय सिंह** : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे प्रशासनों को यह आदेश दिया गया था कि सभी कार्यालयों के नाम पट्ट हिन्दी में लिखे जायें ;

(ख) यदि हां, तो क्या यह सच है कि पूर्वोत्तर व पश्चिम तथा मध्य रेलों के गोरखपुर, चर्चगेट, बम्बई वी० टी० स्थित प्रधान कार्यालयों में लगे हुए नाम-पट्ट केवल अंग्रेजी में लिखे हुए हैं ; और

(ग) यदि हां, तो उपर्युक्त आदेश पर अमल नहीं किये जाने का क्या कारण है ?

रेलवे मंत्रालय में उप मंत्री (श्री सें० वें० रामस्वामी) : (क) इस बात की हिदायत है कि स्टेशन नाम-पट्ट के अलावा रेलवे परिसर और सवारी डिब्बों में लगे हुए संकेत-पट्ट, सूचनाएं आदि भविष्य में जब कभी दुबारा लिखी जायें या नये संकेत-पट्ट आदि लगाये जायें, तो उन्हें देवनागरी लिपि हिन्दी, अंग्रेजी और क्षेत्रीय भाषा में लिखा जाय ।

(ख) और (ग). सूचना मंगाई जा रही है और सभा पटल पर रख दी जायगी ।

Postal and R.M.S. Residential Training Centre

1426. { **Shri A. V. Raghavan:** / **Shri Pottekkatt:**

Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) whether it is proposed to set up a Postal and R.M.S. residential

Training Centre for the Southern region; and

(b) if so, when and where the Centre will be established?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) Yes, Sir.

(b) As soon as the Department is able to obtain a suitable building in a central place.

T.B. Patients

1427. { **Shri Pottekkatt:** / **Shri A. V. Raghavan:**

Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) the number of T.B. Patients amongst the Posts and Telegraphs Employees in Kerala and the number sent outside the State for treatment; and

(b) the steps taken to reserve T.B. beds in hospitals in Kerala?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) 11 during 62-63, Eight during 63-64; all sent outside Kerala for treatment.

(b) The question of providing adequate facilities in Kerala as also elsewhere for treatment of P & T employees and their family members suffering from T.B. is under consideration.

Telegraph Facilities at Block Headquarters

1428. { **Shri A. V. Raghavan:** / **Shri Pottekkatt:**

Will the Minister of **Posts and Telegraphs** be pleased to state

(a) whether it is proposed to provide telegraph facilities at Block Head-quarters and places with police stations;

(b) the number and names of such stations in Kerala yet to be provided with telegraphs facilities; and

(c) the placed likely to be provided with telegraph facilities in 1964-65?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) Yes.

(b) and (c). Information is given in statement laid on the Table of the House. [*Placed in Library. See* No. LT-2574/64].

Telephone facilities in Kerala

1429. { **Shri Pottekkatt:** / **Shri A. V. Raghavan:**

Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) how far the scheme to provide telephone expansion in underdeveloped areas with a population of 20,000 has been implemented in Kerala;

(b) whether under the scheme long distance public call offices will be provided even when the proposals are unremunerative;

(c) the number and names of such towns yet to be provided with telephone facilities in Kerala; and

(d) the places likely to be provided with telephone facilities in 1964-65?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati). (a) to (c). All towns with population of over 20,000 in Kerala have been provided with telephone facilities.

(d) About 34 places are likely to be provided with long distance Public Call Offices during 1964-65 subject to availability of stores.

Multi-link Operator dialling System

1430. { **Shri A. V. Raghavan:** / **Shri Pottekkatt:**

Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) whether it is proposed to extend multi-link operator dialling system to a number of routes in the Southern region to eliminate present delays on transit calls; and

(b) if so, the centres which are likely to be linked by this system?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) Yes:

(b) Madras, Coimbatore, Kottayam and Bangalore are designated as Multi-Link Operator Dialling (MLOD) Centres in Southern Region.

MLOD is already working at Madras and Coimbatore on the following routes:

Madras—Bangalore
Coimbatore—Kozhekode
Coimbatore—Ootacamund
Coimbatore—Madurai
Coimbatore—Salem
Kottayam—Quilon
Kottayam—Ernakulam.

Multi Link Operator Dialling will be in operation on the following routes very shortly:

Madras—Calcutta
Coimbatore—Kottayam
Kottayam—Alleppey, and
Kottayam—Trivandrum.

On the following routes MLOD will be introduced as soon as sufficient number of circuits are available:

Bangalore—Bombay
Bangalore—Coimbatore
Bangalore—Mysore
Bangalore—Secunderabad
Bangalore—Hubil

Sale of Dakotas

1431. **Shri Bhagwat Jha Azad:** Will the Minister of **Transport** be pleased to state:

(a) whether the Indian Airlines corporation proposes to sell its Dakotas; and

(b) if so, how many and the reasons therefor?

The Deputy Minister in the Ministry of Transport (Shri Mohiuddin): With the acquisition of 3 Caravelle Jet aircraft, 7 Dakotas have become surplus to the requirements of the Indian Airlines Corporation. The Corporation have plans to go in for a 4th Caravelle aircraft, when more Dakotas will become surplus. In any case, the Corporation have plans to progressively replace the entire Dakota fleet by Turbo-prop aircraft like the Avro-748.

Compulsory Grain Levy Schemes

1432. **Shri Bhagwat Jha Azad:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether some of the State Governments have decided a compulsory grain levy scheme; and

(b) if so, the names of those States?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) and (b). Levy schemes for rice or paddy or both are in operation in the States of Punjab, Uttar Pradesh, Madhya Pradesh, West Bengal, Orissa, Madras, Andhra Pradesh and Maharashtra.

Food Grains Enquiry Committee

1433. **Shri Yashpal Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the recommendations contained in the report of the Foodgrains Enquiry Committee have been implemented in toto by all the State Governments;

(b) if so, the outcome of that implementation; and

(c) if not, the reasons for the delay?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) to (c). The Foodgrains Enquiry Committee made a number of recommendations regarding food production, food distribution and the problems of scarcity areas with special reference to Eastern U.P. Most of the recommendations were along the lines of the accepted policy of the Government and were already under implementation. Of the other recommendations, such of them as were required to be examined by the State Governments, were referred to them for consideration and implementation. These recommendations were also taken into account while implementing the programmes in the remaining years of the Second Five Year Plan and formulating and implementing the Third Five Year Plan:

National Rose Garden, New Delhi

1434. **Shri R. G. Dubey:**
Shri Vishram Prasad:
Shri Jedhe:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that a National Rose Garden has been recently set up in New Delhi; and

(b) if so, the amount spent on the construction of this garden?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) A plot of land has been allotted to the Rose Society of India, New Delhi by the New Delhi Municipal Committee for setting up a Rose Garden. The Society proposes to name it as National Rose Garden. It will take 4 to 5 years to complete the project.

(b) A sum of about Rs. 5,000/- (round) has so far been spent on the development of this Garden by the Society.

R.M.S. Buildings in Khurda Division

1435. **Shri G. Mohanty:** Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) whether proposals for providing buildings for R.M.S. at certain Stations in the Khurda Division have been under consideration of Government for a long time; and

(b) whether any decisions have since been taken in the matter?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) Proposals for provision of RMS buildings at the following Railway stations in the Khurda Division of S.E. Railway have been under consideration since the years mentioned against each:—

1. R.M.S. building at Puri	.. 1962
2. R.M.S. building at Bhubaneswar	.. 1960
3. R.M.S. building at Bhadrak	.. 1962
4. R.M.S. Rest House at Khurda Road	.. 1959

(b) In respect of R.M.S. buildings at Puri, Bhubaneswar and Bhadrak, decisions have already been taken to get the buildings constructed by the Railways.

In respect of the building for RMS Rest House at Khurda Road, the matter is still under consideration.

Consumer Stores

1436. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Dr. P. N. Khan:
Shri M. L. Dwivedi:

Will the Minister of **Community Development and Cooperation** be pleased to state:

(a) whether he is aware of the fact that a number of consumer stores are almost closed down for want of regular stores;

(b) whether any care was taken to ensure regular and quality supply of goods;

(c) whether complaints were also very often made for bad quality; and

(d) if so, the steps taken to improve the quality?

The Deputy Minister in the Ministry of Community Development and Cooperation (Shri Shyam Dhar Misra): (a) No consumers' cooperative store under the Centrally Spoonsored Scheme of this Ministry has been closed down for want of regular supplies. A few consumers' stores outside this Scheme, however, became almost defunct for want of regular supplies.

(b) Yes. Since the introduction of the Centrally Sponsored Scheme, steps are continuously taken to arrange regular supplies of essential consumer articles of good quality.

(c) A few complaints about bad quality came to the notice of some States. Most of these complaints, however, related to the period prior to the introduction of the Centrally Sponsored Scheme. Enquiries in such cases revealed that either the complaints were not genuine or based on lack of proper appreciation of the role of Consumers' Cooperatives.

(d) (i) Arrangements for supply of quality goods directly from the manufacturers and imports of goods through cooperative organisations;

(ii) Provision of facilities of proper storage;

(iii) Close co-ordination between marketing societies and consumers' cooperatives to enable purchase of genuine produce at source;

(iv) Encouraging processing activities by consumers' stores themselves;

(v) Encouraging cleaning and packaging of goods to the extent possible;

(vi) Adequate supervision by the State Cooperative Department at appropriate stages.

Marine Engineers

1437. **Shri Subodh Hansda:**
Shri M. L. Dwivedi:

Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that there is a shortage of Marine Engineers;

(b) if so, the extent of present shortage; and

(c) the action being taken to train more engineers?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) Yes, Sir.

(b) There is a shortage of about 100 marine engineer officers from the operational point of view.

(c) Besides allowing liberally the shipping companies to appoint suitable candidates as Junior Engineers direct, the passing out examination of the Directorate of Marine Engineering Training has been advanced by about 6 months so that the trainees may become available earlier than usual for undertaking assignments as Junior Engineers for service in the Indian Merchant Navy. As for long term measures, a Special Committee

is going into the question and necessary steps will be taken in the light of its recommendations.

Hindi Messages

1438. Shri Yashpal Singh: Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) the number of words of Hindi Messages transmitted between various Telegraph Offices through Telegraph Circuits during 1960-61, 1961-62 and 1962-63;

(b) the number of man-hours utilised for the transmission and reception of the above-said messages during the above-said periods; and

(c) the man-hours required for handling equal number of words in English?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) Approximately 3,499,660, 3,534,940 and 4,508,340 words were transmitted during 1960-61, 1961-62 and 1962-63 respectively.

(b) Separate statistics regarding man-hours employed on different services are not maintained.

(c) There is practically no difference, in man-hours employed in the transmission and reception of telegrams either in Devnagri or Roman script on morse cricuits.

Telephones installed in Delhi

1439. Shri Maheswar Naik: Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) the number of new telephones installed in Delhi during 1963;

(b) the number of applicants at the beginning of the year and their number at the end; and

(c) the steps being taken to meet the requirements of the people expeditiously?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) 6522.

(b) The position of the applicants on the waiting list is indicated below.

(i) as on 1st January, 1963—33600

(ii) as on 31st December 1963—35300.

(c) It is proposed to increase the installed capacity of the Delhi Telephone System by 46000 lines in the Third Plan period, making a total capacity of 76900 direct lines. The number of telephones would be over 90000. This is consistent with the available resources.

दिल्ली से सीधा ट्रंक डायल द्वारा टेलीफोन व्यवस्था

१४४०. श्री प्रकाशवीर शास्त्री : क्या **डाक तथा तार** मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली और अन्य नगरों के बीच (१) सीधा ट्रंक टेलीफोन और (२) टेलीफोन स्वामियों द्वारा सीधा ट्रंक टेलीफोन करने की व्यवस्था करने में आज तक क्या प्रगति हुई है ; और

(ख) किन किन नगरों को इस प्रकार सम्बद्ध कर दिया गया है और १९६४ में किन किन नगरों को सम्बद्ध किया जायेगा ?

डाक और तार विभाग में उप मंत्री (श्री भगवती) : (क) दिल्ली-मेरठ, दिल्ली-जयपुर, दिल्ली-कानपुर तथा दिल्ली-लखनऊ के बीच उपभोक्ता द्वारा डायल करने की ट्रंक प्रणाली प्रारम्भ करने के लिए प्राक्कलनों को मंजूरी दे दी गई है और उपस्करों के लिए मांग-पत्र भेज दिये गए हैं ।

(ख) यह प्रणाली लखनऊ-कानपुर तथा दिल्ली-आगरा के बीच पहले से ही

चालू है । १९६४-६५ में निम्न मार्गों पर इस का विस्तार करने का प्रस्ताव है--

दिल्ली-कानपुर

दिल्ली-लखनऊ

दिल्ली-जयपुर

आगरा-कानपुर

आगरा-लखनऊ

लखनऊ-वाराणसी

देवनागरी दूरमुद्रक

१४४१. **श्री प्रकाशवीर शास्त्री :**
श्री दी० चं० शर्मा :
श्री रा० शि० पाण्डेय :

क्या **डाक तथा तार** मंत्री यह बताने की कृपा करेंगे कि देवनागरी दूरमुद्रक (टेलीप्रिंटर) बनाने के काम में आज तक कितनी प्रगति हुई है ?

डाक और तार विभाग में उपमंत्री (श्री भगवती) : हिन्दुस्तान टेलीप्रिंटर्स लिमिटेड ने देवनागरी टेलीप्रिण्टरों के निर्माण से सम्बद्ध प्रारम्भिक कार्य आरम्भ कर दिया है और उनके सहयोगी इटली के, सर्वश्री इंग० सी० आलिवेत्ति एण्ड सी०, एस पी ए, इस विषय की प्राविधिक समस्याओं पर कार्य कर रहे हैं । आशा है कि हिन्दुस्तान टेलीप्रिण्टर्स लिमिटेड द्वारा, १९६५ के उत्तरार्द्ध तक देवनागरी टेलीप्रिण्टरों का उत्पादन आरम्भ कर दिया जायगा ।

Agricultural Administration Committee

1442. **Shri S. C. Samanta:**
Shri Subodh Hansda:
Shri N. R. Laskar:
Shri Maheswar Naik:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that the recommendations of the Agriculture Administration Committee with regard to pay scales and service conditions for Agricultural personnel have not been given effect to in a number of States;

(b) if so, the States which have not given effect to the recommendations; and

(c) their difficulties in implementing the recommendations?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). These recommendations have to a large extent been implemented by all States except Bihar, Kerala, Orissa, Punjab and Uttar Pradesh. No definite information has so far been received in respect of Jammu and Kashmir. A Pay Revision Committee has been constituted by the Government of Bihar whose report is expected shortly. The Government of Orissa have revised the pay scales partly and the matter relating to service conditions is expected to be finalised soon.

The main reason advanced by the State Governments for not implementing the above recommendations alongwith other recommendations of the Nalagarh Committee is lack of financial resources. In appreciation of this difficulty the Central Government while forwarding these recommendations to the State Governments in 1960, agreed to share 50 per cent of the cost involved during the years 1960-61 and 1961-62. It was also indicated that the matter relating to central assistance beyond 1961-62 would be considered in the light of the recommendations of the Third Finance Commission.

In spite of the availability of central assistance these recommendations were not implemented by the above mentioned States as they apprehend that raising of scales of pay and improvement of service conditions in the Agriculture Department may have repercussions on the pay scales

etc. in the other Departments and that central financial assistance beyond 1961-62 may not be available.

Though, in the light of the recommendations of the Third Finance Commission, the State Governments do not appear to be eligible for any further assistance, the matter is being re-examined.

रेलवे स्टेशन

१४४३. **श्री प्रकाशवीर शास्त्री** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) अंग्रेजी में जिन भारतीय नगरों की शब्द रचना गलत होने से उनके उच्चारण में कठिनाई होती है, उन्हें सुधारने की कोई योजना है;

(ख) क्या यह सच है इसी कारण हिन्दी तथा अन्य भारतीय भाषाओं में भी वे अशुद्ध लिखे जाते हैं; और

(ग) इस विषय में कब तक अन्तिम निर्णय हो जायेगा ?

रेलवे मंत्रालय में उप मंत्री (श्री सें० वें० रामस्वामी) : (क) जी नहीं ।

(ख) जी नहीं । देवनागरी और दूसरी प्रादेशिक लिपियों में रेलवे स्टेशनों के नाम की वर्तनी राज्य सरकारों से प्राप्त की जाती है ।

(ग) सवाल नहीं उठता ।

Railway Bridge at Kolaghat

1444. **Shri S. C. Samanta:**
Shri Subodh Hansda:

Will the Minister of Railways be pleased to state:

(a) whether any progress has been made with regard to the construction of a second railway bridge at Kolaghat; and

(b) when it is likely to be completed?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Well foundations for one abutment and two piers have been completed and those for four other piers are in progress. One pier is also nearing completion.

(b) The bridge is expected to be completed by middle of 1966.

Over-Bridges in Kanpur

1445. **Shri S. M. Banerjee:** Will the Minister of Railways be pleased to state:

(a) whether any decision has been taken to have three over-bridges in Kanpur;

(b) if so, the amount sanctioned for the same; and

(c) if not, the reason for the delay in taking the decision?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) So far, the *Nagar Mahapalika*, Kanpur has agreed to bear their share of cost of only one over bridge at Kanpur *viz.* across Juhi Marashalling yard.

A proposal has also been received from the *Mahapalika* for providing an over-bridge in replacement of the Murray level crossing and plans for this bridge are under preparation.

The proposal for an overbridge across the G.T. Road is under consideration of the State Government.

(b) For overbridge across Juhi Marshalling yard an estimate for Rs. 11,55,058 has been sanctioned for the Railway's share of cost.

(c) Does not arise.

Plan on Tourism

1446. **Shri Hem Raj:** Will the Minister of **Transport** be pleased to refer to the reply given to Starred Question

No. 197 on the 2nd March, 1963 and state:

(a) the progress made by the study group for preparing Master Plan for the development of Tourism in the country;

(b) the tourist centres so far visited by it;

(c) when its report will be ready; and

(d) whether a copy of the report will be laid on the Table?

The Minister of Transport (Shri Raj Bahadur): (a) to (d). The Working Group has since completed the survey of the following areas:

1. Kovalam,
2. Goa,
3. Ajanta-Ellora-Aurangaad,
4. Khajuraho and
5. Konarak.

The reports of the Working Group on Kovalam and Ajanta-Ellora-Aurangabad are ready and are being examined by the Central and State Governments. The reports on Goa and Konarak are under preparation and are expected to be ready in another 3 to 4 months.

As and when the reports prepared by this Working Group are finalised in consultation with the State Governments concerned, a copy each thereof will be placed in the library of the Parliament.

गन्ने का उत्पादन

१४४७. **श्री विभूति मिश्र :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार कोई ऐसी योजना बना रही है कि अगले साल की फसल में गन्ने का उत्पादन उत्तरी भारत (बिहार, उत्तर प्रदेश और पंजाब) में एक एकड़ में कम से कम ३० टन हो; और

(ख) यदि हां, तो योजना का स्वरूप क्या है और इस सम्बन्ध में सरकार की ओर से क्या कदम उठाये गये हैं ?

खाद्य तथा कृषि मंत्रालय में राज्य मंत्री (श्री अ० म० थामस) : (क) और (ख). जी हां । गन्ने की प्रति एकड़ १०० मन की अतिरिक्त उपज बढ़ाने के लिए गन्ने की सघन खेती की योजना पहले ही बना ली गई है और उत्तर प्रदेश, बिहार और पंजाब राज्यों के लिए स्वीकृत की गयी है । इस योजना के अन्तर्गत, गन्ना विकास गतिविधियां, जैसे लघु सिंचाई, पौध संरक्षण और उन्नत बीज इत्यादि, प्रत्येक शर्करा कारखाने के आस-पास औसतन ४००० एकड़ भूमि के गठित खंड में केन्द्रित की जानी हैं । प्रत्येक कारखाने की कुल अनुमानित लागत लगभग १.४२ लाख रुपये वार्षिक होगी और यह राशि केन्द्रीय सरकार, राज्य सरकार और हिताधिकारियों से प्रत्येक से ३३ १/३ प्रतिशत हिस्सा लेकर पूरी की जायेगी ।

अमरीका से दूध

१४४८. **श्री विश्वनाथ पाण्डेय :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने अमरीकी सरकार से पी० एल० ४८० कार्यक्रम के अन्तर्गत और अधिक दुग्ध चूर्ण देने के लिये अनुरोध किया है;

(ख) यदि हां, तो कितने दुग्ध चूर्ण के लिए अनुरोध किया गया है; और

(ग) इसके सम्बन्ध में अमरीकी सरकार की प्रतिक्रिया क्या है ?

खाद्य तथा कृषि मंत्रालय में राज्य मंत्री (श्री अ० म० थामस) : (क) से (ग). सपरेटा दुग्ध चर्ण प्राप्त करने का प्रश्न विचाराधीन है ।

Gur Imported by Punjab

1449. Shri Daljit Singh: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the quantity of gur imported by Punjab from different States from 1st January, 1963 to March, 1964, month-wise, by rail and road; and

(b) the quantity of gur to be imported by Punjab in April and May, 1964 month-wise?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) The quantities of gur imported by Punjab from different States during the months of January to September, 1963 according to rail and river borne trade of India, are as under:—

	(Tonnes)
January '63	573
February '63	161
March '63	1429
April '63	539
May '63	32
June '63	210
July '63	153
August '63	120
September '63	218

Similar statistics for the months of October 1963 to March 1964 are not yet available. Statistics of imports of gur by Punjab by road are also not available.

(b) The quantity of gur to be imported by Punjab in April and May 1964 has not yet been fixed.

Agricultural Research Projects

1450. Shri Inder J. Malhotra: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the nature and number of the agricultural research projects initiated and also financed by the Central Government now in progress in the State of Jammu and Kashmir; and

(b) the total amount spent on such projects during 1963-64?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Coordinated Maize Breeding Scheme sanctioned by the Government of India in the year 1960 to evolve high yielding and disease resistant strains of hybrid maize with its Centre in Srinagar is the only research scheme fully financed by the Government of India in Jammu and Kashmir.

(b) Actual expenditure from 1.4.1963 to 31-12-1963 is Rs. 42,330. Estimated expenditure from 1-1-1964 to 31-3-1964 is Rs. 14,770.

Yield Per Acre of Foodgrains

1451. { Shri Inder J. Malhotra: / Shri S. N. Chaturvedi:

Will the Minister of **Food and Agriculture** be pleased to state the increase in yield per acre registered for the following crops on all-India basis during the last five years:

(i) wheat;
(ii) Rice (Paddy);
(iii) Maize;
(iv) Cotton; and
(v) Sugarcane?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): Percentage increase in the average yield per acre during the quinquennium ending 1962-63 over the quinquennium ending 1957-58 on comparable basis is as under:—

(i) wheat	12.3
(ii) Rice (Cleaned)	8.6
(iii) Maize	0.6
(iv) Cotton (Lint)	6.2
(v) Sugarcane (Gur)	5.7

Derailments on N.E.F. Railway

1452. Shrimati Jyotsna Chanda: Will the Minister of **Railways** be pleased to state:

(a) the number of derailments of goods and passenger trains on the Siliguri-Darjeeling and Lumding-Badarpur sections of the N.E.F. Railway during 1963; and

(b) the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) and (b). There were 4 cases of passenger train derailments and 25 cases of goods train derailments. Of these 6 cases were due to failure of railway staff, 6 due to mechanical defects, 11 due to track defects and 6 were accidental.

Aerial Spraying of Crops

1453. Shri P. Venkatasubbaiah: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether some States have asked for facilities for import of helicopters for aerial spraying of crops;

(b) if so, which are they; and

(c) the action taken on their request?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). A request for the import of one helicopter was received only from the Government of Andhra Pradesh for undertaking aerial operations.

(c) The State Government has been informed that the same would be made available from Poland under Polish Trade Plan or under U.S.A.I.D. The reply of the State Government is however, awaited.

Box Wagons

1454. Shri Inder J. Malhotra: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Minister for Steel, Mines and Heavy Engineering held a meeting on 6th February, 1964 with the representatives of the Coal Industry advised the Railways to expedite installation of weigh-bridges on depot yards and to revise the loading lines in box-wagons in consultation with the Coal Controller; and

(b) if so, the steps taken by his Ministry in this regard?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy). (a) and (b). The Minister of Steel, Mines and Heavy Engineering held a meeting on 6th February, 1964 with the Joint Working Committee of the Coal Industry, at which it was decided that pending installation of weigh-bridges, for which action is already being taken by the Railways, the Coal Controller would arrange for the Coal Board to calibrate the coals mined by collieries loading BOX wagons according to specific gravity, with a view to authorising these collieries to vary the actual loading above or below the loading lines marked in BOX wagons, according to the height corresponding to the specific gravity of the coal mined by each colliery. This decision is being implemented by the Coal Controller and the Coal Board

Crude Oil from Middle East

1455. { Shri V. B. Gandhi: Shri P. Venkatasubbaiah:

Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that Government have assured Messrs. Philips and Duncans that they will be given the sole monopoly of transporting the crude oil from Middle East to India for the Cochin Refinery;

(b) whether Government propose to grant a long-term or short-term charter for the purpose to a shipping company to be floated Messrs Philips and Duncans even if their terms are higher as compared to those offered by other Shipping Companies; and

(c) if so, the reasons therefor?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) and (b). In terms of the Cochin Refinery Agreement, M|s Philips Petroleum Co. of U.S.A. will act as agents to the Cochin Refinery for arranging purchase of crude oil for them on the best terms possible. The Company wanted to use its own tankers for transporting the crude oil from the Middle East to India, but Government insisted on the utilization of Indian flag vessels for the purpose and it was agreed that M|s Philips Petroleum Co., will collaborate in the formation of a new Indian Shipping Company, in accordance with the provisions of the Merchant Shipping Act, 1958, whose tankers will be eligible to be chartered to the Cochin Refinery. Government have stipulated that the freight rates will have to be competitive. No arrangements have yet been finalised.

(c) Does not arise.

उत्तर प्रदेश को उर्वरक का सभरण

१४५६. **श्री विश्वनाथ पाण्डेय :**
श्री ब्रज बिहारी मेहरोत्रा

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश को १९६०, १९६१, १९६२ और १९६३ में कितनी मात्रा में उर्वरक का सम्भरण किया गया; कितनी मात्रा की वहां खपत हुई और कितना उर्वरक चोरी से राज्य से बाहर ले जाया गया; और

(ख) उत्तर प्रदेश से उर्वरक को चोरी से बाहर ले जाने को रोकने के लिये क्या कदम उठाये गये हैं ?

खाद्य तथा कृषि मंत्रालय में राज्य मन्त्री (डा० राम सुभग सिंह): (क) और (ख). १९५९–६०, १९६०–६१, १९६१–६२ तथा १९६२–६३ के वित्तीय वर्षों की अवधि में केन्द्रीय उर्वरक भण्डार से उत्तर प्रदेश को उर्वरकों की जो मात्रा दी गई है तथा इसी अवधि में जिस मात्रा के खपत होने की सूचना प्राप्त हुई है उसके विषय में जानकारी प्रदर्शित करने वाला एक विवरण संलग्न है ।

१-१-६१ से उर्वरक (संचलन नियंत्रण) आदेश १९६० के अन्तर्गत सक्षम प्राधिकार के परमिट के बिना नाइट्रोजनपूरक उर्वरकों के अन्तर-राज्य संचलन पर पाबन्दी लगा दी गई थी । उस समय से उत्तर प्रदेश से उर्वरकों की चोरी से अन्य राज्यों को ले जाने का कोई मामला सामने नहीं आया है । १-१-६१ से पहले अन्तर-राज्य संचलन अवैध नहीं था अतः इस तिथि से पहले चोरी से उर्वरकों को ले जाने का प्रश्न ही नहीं होता ।

सभा पटल पर रखा गया है । [पुस्तकालय में रखा गया । देखिये संख्या एल० टी०—२५७५/६४]

Derailment of Lakshmikantapur-bound Local Trains

1457. **Shri Vishwa Nath Pandey:**
Shrimati Maimoona Sultan:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that two third class bogies of the Lakshmikantapur-bound local train of the Eastern Railway derailed near the Dhakuria Station about six miles from Calcutta on the 19th February, 1964;

(b) if so, the causes of derailment; and

(c) the damage to life and property caused by this accident?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Yes. The train was bound for Sealdah and coming from Lakshmikantapur.

(b) The cause of the accident is under investigation by the Additional Commissioner of Railway Safety, Calcutta.

(c) The accident resulted in 7 persons being injured of whom 2 sustained grievous injuries.

The cost of damage to railway property has been assessed at Rs. 5,100 approximately.

Training for Testing of Seeds

1458. Shri Ram Harkh Yadav: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any special training course is being opened shortly in Delhi for improving and testing seeds; and

(b) if so, the details of the training course and the number of trainees in the training centre?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes. The Course started on the 24th February, 1964 and is of six weeks' duration.

(b) 17 trainees are attending the Course. It aims at imparting training in seed testing and certification methods.

सड़क सूचक चिह्न

१४५९. **श्री मोहन स्वरूप**
श्री कछवाय :
स्वामी रामेश्वरानन्द :

क्या **परिवहन** मंत्री यह बताने की कृपा करेंगे कि राष्ट्रीय राज-मार्गों पर जो सूचनायें केवल अंग्रेजी में लगी हुई हैं उन्हें हिन्दी में भी लिखाने के लिए क्या कार्यवाही की गई है अथवा की जा रही है ?

परिवहन मंत्रालय में नौवहन मंत्री (श्री राज बहादुर) : एक विवरण सभा पटल पर रखा गया है। **[पुस्तकालय में रखा गया। देखिये संख्या एल टी २५७६/६४]**

दिल्ली परिवहन के कार्यालय म हिन्दी का प्रयोग

१४६०. **श्री कछवाय :**
श्री योगन्द्र झा :
स्वामी रामेश्वरानन्द :

क्या **परिवहन** मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली परिवहन प्राधिकार के कार्यालय में सरकारी कार्य में हिन्दी का प्रयोग किस सीमा तक आरम्भ किया गया है; और

(ख) शेष कामों में हिन्दी का प्रयोग बढ़ाने के लिये क्या व्यवस्था की जा रही है ?

परिवहन मंत्रालय में नौवहन मंत्री (श्री राज बहादुर) : (क) दिल्ली परिवहन प्राधिकार के कार्यालय में हिन्दी का प्रयोग निम्न सीमाओं तक आरम्भ किया गया है :

(१) नाम-पट्ट और साईन बोर्डस् (संकेत फलक) हिन्दी और अंग्रेजी दोनों में लिखे गये हैं ।

(२) शिकायत की पेटी और अस्थायी परमिट के आवेदन पत्रों की पेटी में ब्यौरा, हिन्दी और अंग्रेजी दोनों में अंकित किया गया है ।

(३) कार्यालय-फाइलों में निशान-पर्चियां सामान्यतया हिन्दी में लिखी जाती हैं ।

(४) कर्मचारियों का हाजिरी रजिस्टर हिन्दी में रखा जाता है।

(५) कुछ फाइलों में टिप्पणियां हिन्दी में लिखी जाती हैं।

(६) टैक्स टोकनों के फार्म हिन्दी और अंग्रेजी दोनों में हैं और कोई भी व्यक्ति इच्छानुसार उन्हें हिन्दी या अंग्रेजी में भर सकता है।

(७) कर्मचारियों से, अपनी छुट्टी की अर्जियों को हिन्दी में भेजने का अनुरोध किया गया है।

(ख) हिन्दी के प्रयोग में और अधिक प्रगति, अधिकांशतः हिन्दी जानने वाले कर्मचारियों के उपलब्ध होने पर, और विद्यमान कर्मचारियों के हिन्दी में काम चलाने योग्य ज्ञान प्राप्त करने की क्षमता पर भी निर्भर करती है।

Civil Aviation Development Fund

1461. Shri Yashpal Singh: Will the Minister of **Transport** be pleased to state:

(a) when the Civil Aviation Development Fund is likely to be set up;

(b) apart from the Central grants, what will be its other sources; and

(c) the purposes this Fund will serve?

The Deputy Minister in the Ministry of Transport (Shri Mohiuddin): (a) to (c). A reference in this connection may be made to the provision made under Demand No. 88-Aviation for Block Grant for transfer to the Civil Aviation Development Fund on page 27 and the explanatory note in connection therewith on pages 159-160 of the Demands for Grants of the Ministry of Transport for 1964-65, which explain the purposes and the scope of the Civil Aviation Development Fund.

ज्वार का उत्पादन

१४६२. श्री दे० शि० पाटिल : क्या **खाद्य तथा कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) तीसरी पंचवर्षीय योजना की अवधि में देश में ज्वार का उत्पादन बढ़ाने के लिए सरकार द्वारा क्या कदम उठाये गये हैं;

(ख) क्या इन कदमों के फलस्वरूप तीसरी योजना के पहले तीन वर्षों में ज्वार का उत्पादन कुछ बढ़ा है; और

(ग) यदि हां, तो कितना ?

खाद्य तथा कृषि मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : (क) देश में ज्वार के उत्पादन बढ़ाने के कदम तीसरी योजना के अन्तर्गत एक व्यापक कार्यक्रम में शामिल कर लिये गये हैं, यह खाद्य उत्पादन विभिन्न साधनों जैसे सिंचाई सुविधाओं को बढ़ाना, रासायनिक उर्वरकों और कार्बनिक खादों की खपत को बढ़ाना, सुधरे बीजों का सघन उपयोग और वनस्पति रक्षा उपाय इत्यादि द्वारा बढ़ाया जाना है।

इसके अतिरिक्त राज्य सरकारों से प्रार्थना की गई है कि ४० चुने हुए जिलों में ज्वार उत्पादन के लिए विशेष ध्यान दिया जाये। इन जिलों में ज्वार के उत्पादन बढ़ाने के लिए विशेष रूप से निम्न कदम उठाने का सुझाव दिया गया है :—

१. उन्नत किस्मों का इस्तेमाल, जिन में संकर ज्वार सम्मिलित है, जहां पर वह उपलब्ध हो।

२. बीजों का गन्धक से संवारना।

३. १५ पौंड नाइट्रोजन प्रति एकड़ की दर से नाइट्रोजन पूरक उर्वरकों का इस्तेमाल।

४. पैरासाइट स्ट्रींगा का उन्मूलन ।

५. रोग और महामारी से बचाव के लिए फसलों को फुवार या धुंआ देना ।

(ख) और (ग). तीसरी योजना के पहले दो वर्षों में देश में ज्वार का उत्पादन निम्न है :—

	(दस लाख टनों में)
१९६१–६२	७.६
१९६२–६३	९.२

१९६३–६४ के उत्पादन के अनुमान अभी उपलब्ध नहीं हैं ।

Movement of Foodgrains in Rajasthan

1463. Shri Harish Chandra Mathur: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the kind and quality of foodgrains moved in and out of Rajasthan during the last three years; and

(b) the efforts, if any, made to rationalise the movement?

The Minister of State in the Ministry Food and Agriculture (Shri A. M. Thomas): (a) Since there were no restrictions on the movement of foodgrains except rice and paddy the information is not available.

(b) Steps have been taken to reduce cross movements by creating suitable zones in the case of important foodgrains like rice and wheat.

Technique to Increase Wheat Production

1464. Shri S. N. Chaturvedi: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether a new technique has been evolved at Nasirpur Farm (Punjab) for doubling wheat production; and

(b) if so, its salient features?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) No.

(b) Though no new technique has been evolved at this farm, the yield at this farm has been doubled as a result of the application of adequate doses of fertilizers.

All India S.C. and S.T. Railway Employees Association

1465. Shri P. L. Barupal:
Shrimati Ganga Devi:
Shri Sadhu Ram:

Will the Minister of **Railways** be pleased to state:

(a) whether All-India Scheduled Castes and Scheduled Tribes Railway Employees Association made any application for its recognition by Government; and

(b) if so, the action taken or proposed to be taken in the matter?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Yes.

(b) Government's policy is to discourage moves by public servants to form Unions or Associations on the basis of caste or tribe or religion. In pursuance of this, recognition has not been granted for this Association.

जनता गाड़ियां

१४६६. श्री ओंकर लाल बेरवा : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हों ने जनता गाड़ियां बढ़ाने की कोई घोषणा की है;

(ख) यदि हां, तो वे कब से चलाई जायेंगी; और

(ग) वे किस-किस मार्ग पर चलाई जायेंगी ?

रेलवे मंत्रालय में उपमंत्री (श्री सें० वें० रामस्वामी) : (क), (ख) और (ग). किन्हीं खास नयी जनता एक्सप्रेस गाड़ियों के चलाने के बारे में घोषणा नहीं की गयी है, लेकिन लोक सभा में २६-२-१९६४ को बहस का उत्तर देते हुए रेल मंत्री ने कहा था कि यदि सम्भव हुआ तो वह अधिक जनता गाड़ियां चलाना चाहेंगे और वह इस प्रश्न पर विचार करेंगे। इस पर विचार करने के बाद यथा समय कार्यवाही की जायेगी।

दिल्ली का चिड़िया-घर

१४६७. **श्री ओंकार लाल बेरवा** : क्या **खाद्य तथा कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली के चिड़ियाघर में पक्षियों के इलाज के लिए क्या व्यवस्था की गई है;

(ख) क्या इसके लिए कोई अस्पताल खोला गया है ; और

(ग) यदि हां, तो कहां ?

खाद्य तथा कृषि मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) (क) और (ख). पार्क में एक अस्पताल और संगरोध केन्द्र की स्थापना की गयी है और पक्षियों के उपचार के लिए वहां आवश्यक दवायें और शल्य साधित्रों का प्रबन्ध कर दिया गया है। इस काम के लिए पूर्णकालिक पशुचिकित्सक अधिकारी नियुक्त कर दिया गया है।

(ग) यह अस्पताल पार्क के दक्षिणीय भाग में स्थित है।

Central Road Fund

1468. { **Shri Dhuleshwar Meena:** / **Shri Ramachandra Ulaka:**

Will the Minister of **Transport** be pleased to state the amount of grant given to the Government of Rajasthan from the Central **Road Fund** during 1963-64 for road development schemes of the State?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): The amount of grant sanctioned to the Government of Rajasthan from the Central Road Fund during 1963-64 for road development shcemes is Rs. 14.75 lakhs as under:—

(Rs. lakhs)

(i) Allocation works.	10.00
(ii) Ordinary Reserve works.	4.71
(iii) Special Reserve works.	0.04.
	14.75

Railway Accidents

1469. { **Shri Dhuleshwar Meena:** / **Shri Ramachandra Ulaka:**

Will the Minister of **Railways** be pleased to state the number of railway accidents involving loss of life and property that occurred in October, 1963, zone-wise?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):

Zone	*Number of accidents*
Eastern.	2
Northern.	1
Northeast Frontier.	2
South Eastern.	1

Theft cases in S. E. Railway Workshops

1470. { **Shri Dhuleshwar Meena:** / **Shri Ramachandra Ulaka:**

Will the Minister of **Railways** be pleased to state the number of theft cases detected in the South Eastern Railway workshops during 1963-64?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy) 68.

B.G. Line from Viramgam to Kandla

1472. **Shri P. C. Borooah:** Will the Minister of **Railways** be pleased to state:

(a) whether Government have taken a decision on the route to be followed by the broad gauge line from Viramgam to Kandla; and

(b) if so, the route proposed to be followed for the purpose?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) and (b). No decision regarding final alignment to be adopted for the Jhund-Kandla B.G. line has been taken so far.

Tourists

1473. { **Shri D. C. Sharma:** / **Shri Sidheshwar Prasad:**

Will the Minister of **Transport** be pleased to state:

(a) whether there has been a drop in the number of tourists and income therefrom during 1963; and

(b) if so, the steps proposed to be taken to attract more tourists?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): (a) During 1963, India was visited by 1,40,821 tourists—an increase of 4.8 per cent over 1962. The estimates of foreign exchange earned from tourism in 1963 have not so far been received from the Reserve Bank of India.

(b) The following are some of the steps proposed to be taken to attract more tourists:—

(i) A Tourist Office in Tokyo and another in Chicago will be opened during the next financial year.

(ii) Steps will be taken for effecting improvements to the terminal buildings at the principal airports in India and in putting up new buildings, specially qualified architects and consultants would be associated in the designing of terminal buildings, wherever necessary.

(iii) Some relaxations in immigration rules as well as in Customs and import-export regulations governing tourists have already been announced. The possibility of further simplification of certain customs procedures and rules is under consideration.

(iv) It has been decided to constitute an Air Customs Pool of officers specially trained to handle the present day fast moving traffic, in particular foreign visitors. The need for especially trained immigration and customs staff exists not only at airports but also at the principal seaports and land customs stations. Proposals for giving special training to the staff employed on baggage clearance are also being formulated. The question of creating a Central cadre of immigration staff is being actively pursued.

(v) Special arrangements will be made to ensure that tourists are able to obtain all-India liquor permits immediately on arrival. The question of sale of liquor to tourists on dry days and of allowing hotels in areas such as Delhi, where there is partial prohibition, to have a separate room where residents and foreigners can be served with liquor along with meals will be taken up when the Government have had the opportunity of considering the Report of the Study Team on Prohibition appointed by the Planning Commission.

(vi) Tourists' requirements of cars for sightseeing will be met by importing one-year-old cars of a few standard makes whose price would be fairly low.

(vii) A Special Fund is being created into which an initial grant of Rs. 1 crore will be paid, to be supplemented from year to year by grants which will not exceed the excise duty collected on aviation fuel and oil purchased by the Indian Airlines Corporation, in order to give subventions to the I.A.C. for tourist services to out-of-the-way places which would not normally be undertaken on purely commercial considerations and also for ancillary purposes like building necessary airstrips near tourist centres which would not have otherwise been constructed by the Civil Aviation Department. It has also been decided that steps should be taken to link a larger number of I.A.C. stations by teleprinter lines, with a view to providing speedier confirmation of bookings.

(viii) Master plans have already been prepared for development of certain tourist areas. Similar plans for integrated development of other tourist areas will be prepared.

Pepper Cultivation

1474. { **Shri A. V. Raghavan:** / **Shri Pottekkatt:**

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there is any proposal to constitute a Pepper Board to improve pepper cultivation; and

(b) if so, when the Board will come into being?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) No.

(b) Does not arise.

Scheduled Caste Employees in Railways

1475. Shri Visram Prasad: Will the Minister of **Railways** be pleased to state:

(a) the number of Scheduled Caste degree holders employed on Indian Railways in Class IV and lower rung of Class III; and

(b) whether Government are considering them for higher promotions?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Information is being collected and will be laid on the Table of the Sabha.

(b) Staff in lower grades are eligible for promotion to higher grades. Their educational qualifications are taken into account when considering them for promotion.

Carnival organised by Northern Railway

1476. Shri Vishram Prasad: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a Grand Carnival was organised by the Northern Railway at their Headquarters on the 15th and 16th of February, 1964; and

(b) if so, the collection and the expenditure incurred thereon?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) A Grand Carnival was organised by the Mahila Samiti Northern Railway (formed by wives of Railway Officers) at the Northern Railway Headquarters Office on 15th and 16th February, 1964.

(b) Collection — Rs. 40,883.00
Expenditure — Rs. 6,576.00

Agricultural Implements

1477 { Shri Sidheshwar Prasad: / Shri P. R. Chakraverti:

Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 1744 on the 17th December, 1963 and state:

(a) the State-wise break-up of the amount so far given by Government under the programme of 25 per cent subsidy for the agricultural implements in order to increase the yield of the crops;

(b) the State-wise break-up of the expenditure incurred upto December, 1963 on the appointment of additional staff under the package programme; and

(c) the State-wise break-up of the 25 per cent subsidy given upto December, 1963 to farmers/panchayats for the purchase of necessary implements for the production of rice?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) to (c). A statement giving the required information is laid on the Table of the House. [*Placed in Library. See* No. Lt-2577/64].

रेलवे कर्मचारी

१४७८. श्री रामेश्वरा नन्द : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन रेलवे कर्मचारियों को, जो सेवानिवृत्ति लाभ की पेन्शन योजना लागू होने से पहले १९५७ में सेवा-निवृत्त हो चुके हैं, रेलवे अस्पतालों में निःशुल्क चिकित्सा सहायता देने का कोई प्रस्ताव विचाराधीन है; और

(ख) यदि हां, तो कब तक इस सम्बन्ध में निर्णय की संभावना है ?

रेलवे मंत्रालय में उपमंत्री (श्री सें० वें० रामस्वामी) : (क) जी, नहीं ।

(ख) सवाल नहीं उठता ।

Afforestation of Sub-Himalayan Areas

1479. Shri E. Madhusudan Rao: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that Government have under consideration a scheme for the afforestation of sub-Himalayan areas along the northern borders to prevent the erosion of land;

(b) if so, the details thereof; and

(c) when it will be implemented?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) to (c). There is already a Centrally sponsored programme for soil conservation measures in the catchments of River Valley Projects, Pohru (Jammu and Kashmir), Bhakra Nangal (Pun-

jab and Himachal Pradesh), and Ramaganga (Uttar Pradesh) with an outlay of Rs. 3.55 crores during the 3rd Plan period. The programme aims primarily at protecting the catchment areas by measures such as terracing, contour bunding, pasture development, afforestation etc. Under this programme an area of 21,760 acres has been brought under afforestation during the first two years of 3rd Plan.

Besides the above, afforestation measures intended to prevent soil erosion are also being carried out under the State Plan Schemes of these States.

रेलवे परिपत्र

१४८०. श्री तु० राम :
श्री बेसरा :
श्री योगन्द्र झा :

क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे बोर्ड ने आदेश दिये हैं कि उस के कार्यालय से निकलने वाले सभी सर्कुलर अंग्रेजी और हिन्दी दोनों ही भाषाओं में जारी किये जायें; और

(ख) सभी सर्कुलर आदि हिन्दी में जारी न करने के क्या कारण हैं और इस से संबंधित कठिनाइयों को दूर करने के लिये रेलवे बोर्ड क्या कर रहा है ?

रेलवे मंत्रालय में उपमंत्री (श्री सें० वें० रामस्वामी) : (क) और (ख). रेलवे बोर्ड केकार्यालय से निकलने वाले परिपत्रों में केवल कर्मचारियों और प्रशासनिक हिदायतों से सम्बन्धित परिपत्रों को अंग्रेजी और हिन्दी दोनों भाषाओं में जारी करना अपेक्षित है। इस सम्बन्ध में स्थिति अन्य मंत्रालयों की स्थिति के समान है और इस विषय पर सरकार की सामान्य नीति पर आधारित है।

मंत्रणा समितियों की कार्यवाही

१४८१. श्री तु० राम :
श्री बेसरा :
श्री योगन्द्र झा :

क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे बोर्ड ने रेलवे विभागों को यह आदेश दिये हैं कि क्षेत्रीय रेलवे प्रयोक्ता मंत्रणा समितियों की कार्यसूचियां और कार्यवाही के विवरण अंग्रेजी के साथ-साथ हिन्दी में भी निकाले जायें ;

(ख) यदि हां, तो कौन-कौन से रेलवे प्रशासन उपरोक्त आदेशों का पालन कर रहे हैं ; और

(ग) क्या रेलव बोर्ड राष्ट्रीय रेलवे प्रयोक्ता मंत्रणा समिति की कार्यसूची और कार्यवाही का विवरण हिन्दी और अंग्रेजी में प्रकाशित कर रहा है ?

रेलवे मंत्रालय में उपमत्री (श्री सें० वें० रामस्वामी) : (क) रेल प्रशासनों को हिदायत है कि जिन क्षेत्रों में हिन्दी बोली या आसानी से समझी जाती है वहां क्षेत्रीय और प्रादेशिक रेल उपयोगकर्ता परामर्श समितियों की कार्य-सूची और कार्यवाही अंग्रेजी के साथ-साथ हिन्दी में भी तैयार और परिप्रेषित की जाय।

(ख) इस प्रक्रिया का अनुसरण पश्चिम, उत्तर, पूर्वोतर और पूर्वोतर सीमा रेलों की क्षेत्रीय रेल उपयोगकर्ता परामर्श समितियों की बैठकों में किया जा रहा है। जहां तक प्रादेशिक/मण्डलीय रेल उपयोगकर्ता परामर्श समितियों की बैठकों का सम्बन्ध है, इस प्रक्रिया का अनुसरण पश्चिम, मध्य, उत्तर, पूर्वोतर और पूर्वोतर सीमा रेलों के हिन्दी-भाषी क्षेत्रों के कुछ मण्डलों में किया जा रहा है।

(ग) जी नहीं।

Committees in Railway Ministry

1482. Shri Daljit Singh: Will the Minister of **Railways** be pleased to state:

(a) the total number of Committees and sub-Committees under his Ministry at present; and

(b) the total number of members on those Committees ?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) and (b). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-2578/64].

Teleprinter Manufacturing Plant

1483. Shri P. C. Borooah: Will the Minister of **Posts and Telegraphs** be pleased to state:

(a) the progress made so far in the setting up of the teleprinter manufacturing plant in Madras; and

(b) the salient features of the project?

The Deputy Minister in the Department of Posts and Telegraphs (Shri Bhagavati): (a) The project for the manufacture of teleprinters has been taken up in collaboration with M/s. Ing. C. Olivetti & Co., SPA. Pending the construction of permanent buildings for the factory, the manufacture of teleprinters has been set up in temporary buildings and 1774 English teleprinters were manufactured up to 15th February, 1964.

The construction of permanent buildings for the factory has made considerable progress and has reached a fairly advanced stage. The buildings for the Heat Treatment and Finishing Shops have been completed and works relating to services, like distribution of power, water and steam are in progress. The shell for the main workshop building is nearing completion and distribution system for compressed air is also nearing completion.

(b) The project envisages the manufacture of 3850 teleprinter machines between November 1960 and May, 1965. Production of Hindi teleprinters is also expected to be taken up during 1965. Plans are on hand to substantially enhance the output of the factory.

New Boeing for Air India

1484. Shri P. C. Borooah: Will the Minister of **Transport** be pleased to state:

(a) whether the Air India is procuring a new Boeing from the U.S.A.;

(b) if so, terms and the cost thereof;

(c) when it is expected to be received; and

(d) the routes on which it is proposed to be put?

The Deputy Minister in the Ministry of Transport (Shri Mohiuddin): (a) The Central Government have approved of Air India's proposal to purchase one more Boeing 707-320B aircraft, which will be the eighth in their fleet.

(b) The estimated cost of the aircraft, together with initial spares and spare engines, is Rs. 497·94 lakhs. The foreign exchange expenditure will be met from out of the loans secured by the Corporation from five U.S. Commercial Banks and the Boeing Airplane Co.

(c) The aircraft is expected to be delivered to Air India by April/May, 1965.

(d) The aircraft is not earmarked for any specific route but will help the Corporation in augmenting their existing capacity.

Scientific and Technical Personnel

1485. Shri Vasudevan Nair: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of applications from scientific and technical personnel work-

ing under his Ministry received for selection outside the Ministry in 1963-64;

(b) the number of such applications withheld; and

(c) the number of scientific personnel permitted to apply for posts outside the country during the same period?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) to (c). Information is being collected and will be placed on the Table of the Sabha shortly.

Mangalore-Hassan Railway Line

1486. Shri R. G. Dubey: Will the Minister of **Railways** be pleased to state the progress made so far in the construction of the Mangalore-Hassan line?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): Construction of a BG line from the existing Mangalore station to the new port site at Panambur has been taken up as part of the Hassan-Mangalore Project. On this section land acquisition is in progress and contracts for earthwork, bridges and tunnelling have been awarded and work is in hand. The project report prepared by the Southern Railway for the Mangalore-Hassan line has been received and is under detailed examination.

पुल-निर्माण के लिये हंगरी से सामान

१४८७. श्री ओंकार लाल बेरवा : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हंगरी ने भारत को पुल बनाने के लिये उपकरण देने का निर्णय किया है ;

(ख) यदि हां, तो कितने पुलों के लिये वह उपकरण देगा ; और

(ग) उसकी कीमत किस तरह अदा की जायगी ?

रेलवे मंत्रालय में उपमंत्री (श्री सें० वें० रामस्वामी) : (क) जी, हां । हंगरी १०० फुट स्पैन के २५ और १५० फुट स्पैन के ३० पुल-गर्डर दे रहा है ।

(ख) नौ ।

(ग) अपरिवर्तनीय भारतीय रुपयों में ।

Paddy Crop

1488. Shri Vishwa Nath Pandey: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government are considering to launch a pilot project in the States to produce a paddy crop free from pest and disease; and

(b) if so, the main outlines of the scheme?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) The Government of India has sanctioned a pilot project for raising a pest-and disease-free crop of paddy in Krishna district of Andhra Pradesh.

(b) A statement giving the main outlines of the Project is as under:

STATEMENT

Main outlines of the Project for raising a pest-and disease-free crop of paddy in Krishna district of Andhra Pradesh are as follows:

(i) 5000 acres of land in Krishna District of Andhra Pradesh has been taken up.

(ii) It will be operated with the active cooperation of the State Department of Agriculture, which will make its departmental and block staff and plant protection equipments available for the execution of the scheme.

(iii) The Directorate of Plant Protection, Quarantine and Storage will also colloborate in this programme by making its plant protection equipment and staff available. The Directorate will make these facilities available free of cost.

(iv) Labour etc. required for spraying, dusting, and other field operations will be supplied by the cultivators, for which no payment will be made.

(v) Expenditure on pesticides which is worked out to be Rs. 1,35,800 will be met by the Indian Council of Agricultural Research in full. No expenditure is to be met by the State Government.

(vi) The fertilisers required for the crop will be made available to the cultivators by the Department of, Agriculture as under the normal intensive cultivation schemes of the State Government on paddy and other food crops.

मासिक रेलवे पास

१४८९. **श्री कछवाय :**
श्री राम सेवक यादव :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बम्बई और कलकत्ता जो कि 'ए' क्लास शहरों में गिने जाते हैं, वहां रेलवे में यात्रा करते समय मासिक पासों पर केवल १२ एकतरफा किराया वसूल किया जाता है ;

(ख) क्या यह भी सच है कि दिल्ली में, जिसकी भी 'ए' क्लास शहरों में गणना की जाती है, मासिक पासों पर २४ एकतरफा किराया वसूल किया जाता है ;

(ग) यदि हां, तो भेदभाव रखने के क्या कराण हैं और क्या सरकार यहां पर भी १२ एकतरफा किराया वसूल करने का विचार कर रही है ; और

(घ) यह निर्णय कब तक हो जाने की संभावना है ?

रेलवे मंत्रालय में उपमंत्री (श्री सें० वें० रामस्वामी) : (क), से (ग) तक. इतिहास यह बताता है कि विशेष परिस्थितियों के कारण उपनगरी गाड़ियों का विकास पहले बम्बई, कलकत्ता और मद्रास में किया गया था। तीसरे दर्जे के मासिक सीजन टिकटों के किराये विशेष आधारों पर लिये जाते हैं। यदि इन तीसरे दर्जे के मासिक सीजन टिकटों की लागत का समीकरण डाकगाड़ी की इकतरफी यात्रा के वर्तमान किरायों से किया जाय और उसका पूर्णांकन किया जाय तो ३० किलोमीटर तक की विभिन्न दूरियों के लिये यह लागत ऐसे ११ से १८ किरायों तक बनती है। इस दूरी के बाद, इकतरफी यात्रा के किरायों की समतुल्य संख्या ९ और १२ के बीच बनती है।

दिल्ली और सभी दूसरे नगरों में तीसरे दर्जे के मासिक सीजन टिकट का किराया उन किरायों के आधार से सम्बन्धित है जो १९४८ में थे। डाकगाड़ी से तीसरे दर्जे की इकतरफी यात्रा के किरायों के हिसाब से ३० किलोमीटर तक के लिये मासिक सीजन टिकट का किराया १७ और १९ के बीच बनता है। ३० किलोमीटर के बाद,

यह १८ इकतरफी यात्रा का किराया बनता है ।

कलकत्ता, बम्बई और मद्रास में जिन आधारों पर किराये लिये जाते हैं उन्हें दूसरे नगरों में लागू करने का कोई प्रस्ताव नहीं है ।

(घ) सवाल नहीं उठता ।

Hybrid Maize Seed

1490. Shri Sivamurthi Swamy: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether a corporation has recently been organised to produce hybrid maize seed;

(b) the rate at which it is selling the seed;

(c) whether it has also been producing hybrid *jowar* seed; and

(d) the quantities of seed supplied every year since it was organised?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes

(b) The selling price of hybrid maize seed is Rs. 1·35 nP. per Kg.

(c) Hybrid *jowar* seed is under experimental production only.

(d) 15,000 maunds of seeds have been supplied since the Corporation started functioning on 1st July, 1963.

ऊंट प्रजनन केन्द्र

१४६१. **श्री प० ला० बारूपाल :** क्या **खाद्य तथा कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बीकानेर में भारत सरकार द्वारा दिये गये अनुदान से ऊंट प्रजनन केन्द्र स्थापित किया गया है, यदि हां, तो कितना अनुदान दिया गया है ;

(ख) क्या उक्त ऊंट प्रजनन केन्द्र में अब तक कोई अनुसन्धानात्मक कार्य किया गया है और यदि हां, तो लोगों ने उससे किस प्रकार से लाभ उठाया है ;

(ग) क्या यह भी सच है कि उक्त प्रजनन केन्द्र के जानवर अकाल की स्थिति होने के कारण चरने के लिये मुख्य केन्द्र से बहुत दूर ऐसे स्थानों पर भेजे गये हैं जिनको राज्य सरकार ने अकालग्रस्त घोषित कर दिया है ; और

(घ) यदि हां, तो क्या ऐसी स्थिति में भी अनुसंधानात्मक कार्य चल रहा है ?

खाद्य तथा कृषि मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) भारतीय कृषि अनुसंधान परिषद् ने बीकानेर में ऊंटों की नस्ल सुधारने के लिये १ सितम्बर, १९५९ से ५ वर्षों के लिये एक योजना स्वीकार की है । इस योजना का आवर्तक खर्च राज्य सरकार तथा भारतीय कृषि अनुसंधान परिषद् द्वारा बांटा जाता है । भारतीय कृषि अनुसंधान परिषद् के हिस्से में आने वाली राशि ३,७२,०८० रुपये है ।

(ख) जी, हां । यह एक प्रजनन योजना है, अतः परिणाम प्राप्त होने तथा उनके विषय में कृषकों को अवगत कराने में समय लगेगा ।

(ग) चारे की कमी के कारण ऊंटों को चरने के लिये ऐसे स्थानों को भेजा गया है जहां पर कि चराई सम्बन्धी अच्छी सुविधाएं उपलब्ध हैं ।

(घ) अकाल स्थिति के कारण अनुसन्धानात्मक कार्य की प्रगति पर बहुत बुरा प्रभाव पड़ा है और इस कार्य को यथाशीघ्र पुनः शुरू करने के लिये प्रयत्न किये जा रहे हैं ।

12.00 hrs.

RE. CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Mr. Speaker: Professor Ranga has written to me a letter saying that I should reconsider his calling-attention notice. How does he justify that?

Shri Nath Pai (Rajapur): May we at least know the subject-matter of it?

Mr. Speaker: It is regarding the arrest of Shri Golwalkar.

Shri U. M. Trivedi (Mandsaur) *rose*—

Mr. Speaker: I had called Shri Ranga.

Shri Nath Pai: We have sent for your consideration matters of much greater import to the continuance of constitutional government than this.

Mr. Speaker: Does the hon. Member tell me that this is not of as great importance as his and so this need not be taken up?

Shri Hari Vishnu Kamath Hoshangabad): He did not mean that at all.... (*Interruption*).

Shri Ranga (Chittoor): My plea before you is that only yesterday the Home Minister was good enough to call the leaders of the various parties in this House to his room in order to seek our co-operation in seeing that there should be communal harmony in this unfortunate situation that has arisen as a result of the unwise and, as I said earlier, suicidal steps and policies pursued by Pakistan and East Bengal authorities so that the evil results of all these things can be minimised. Afterwards, he was also good enough to make an appeal in the course of his statement in this House for co-operation from all important elements, leaders and social forces in our country. Mr. Golwalkar, as you know, Sir, and as the House knows, is a leader of one of the very important social forces in our country. He could have been invited, just as we were invited, for consultation and co-operation and if the hon. Minister was not satisfied with his attitude, he should have taken the action that he is reported to have taken. That is why I wanted you to give us permission to ask for information as to under what circumstances Mr. Golwalkar came to be arrested and whether prior consultations had taken place between the Home Minister and Mr. Golwalkar.

Shrimati Renu Chakravartty (Barrackpore): May I make a submission?

Shri U. M. Trivedi: May I make a submission?

Shrimati Renu Chakravartty: My submission is not about this particular matter which has been raised by Prof. Ranga. About that I have much to say. My main point is, this is the first time when this extraordinary procedure is being followed?

Shri Hari Vishnu Kamath: A new, good convention.

Mr. Speaker: Order, order.

Shrimati Renu Chakravartty: But this should have been permitted on many more important calling attention notices. We have not been permitted ever to plead on behalf of any of our calling attention notices. Even the first sentence has not been permitted.....

Mr. Speaker: That is exactly what I am going to decide for ever. I want to bring it to the notice of the House that I have decided so many times not to allow such calling attention notices to be moved here. I

[Mr. Speaker]

rule it once for all, and I seek the co-operation of all the Members, that the arrest of an individual—of course, the case of a Member of Parliament could be different and that could be considered separately—whoever he might be, however big he might be, whatever sympathies we might have with him, cannot form the subject-matter of a calling attention notice. Therefore, I will request the hon. Members not to give notices on that.

Shrimati Renu Chakravartty: My point is this. I would certainly support Prof. Ranga in being able to plead before you whether a particular calling attention notice should be permitted or not. But my point is, whether we are now establishing this procedure for the first time when it has not been permitted on several other occasions, numerous other occasions, to even plead before you the subject-matter which we are trying to raise. Why should Prof. Ranga be permitted to raise it? If he is permitted to raise it, I would certainly welcome it because that gives us a precedent and we should support it.

Shri Bade (Khargone): That does not mean that once a particular mistake is committed, it should be repeated.

Mr. Speaker: Order, order. There is no mistake. (*Interruptions*). I have held so many times that this subject-matter should not be raised here. Shrimati Renu Chakravartty is right in that respect as to why this should be a special case. Because it is being repeated everyday and I am disallowing all those notices, I wanted the permission of the House that that rule should continue. In this case, because so many Members had signed it, I wanted to make it clear to them that I would not entertain such a notice. I want to put it to the House. It is not that I wanted to make any departure from that. I did not intend to make any distinction to be made between one and the other.

Shrimati Renu Chakravartty: Actually, we would like to support the way in which he has been permitted....

Mr. Speaker: Even with the support of the hon. lady Member, I would not allow it. (*Interruptions*).

Shri U. M. Trivedi: May I make one submission? You were kind enough to say that the arrest of a person, however great he may be, is a matter which you would not allow to be raised. We can follow that. But the impression that has been gathered by us generally is that calling-attention-notices on this subject are not allowed only on the ground that these are things which concern only the State Governments who carry out these arrests and not on the ground that although they have been done by the Government of India and under the Defence of India Rules, they will not be considered.

Mr. Speaker: Whoever may do that, the arrest of a person is not to be a subject-matter for a calling-attention-notice.

श्री राम सेवक यादव (बाराबंकी) : आपके निर्णय के सम्बन्ध में मुझे कुछ निवेदन करना है क्योंकि यह बहुत महत्वपूर्ण बात है। ध्यान आकर्षण प्रश्न के बारे में जो निर्णय आपने लिया है उस के बारे में मेरा निवेदन यह है कि प्रश्न यह नहीं है कि जो व्यक्ति गिरफ्तार किया गया है वह कितना बड़ा आदमी है और कितना महत्वपूर्ण है। प्रश्न यह उठता है कि आजकल जो हिन्दू-मुस्लिम दंगे हो रहे हैं उन को लेकर कल गृह मन्त्री ने कुछ लोगों को बुलाया था। इस तरह के कार्य जो होते हैं तो उनका असर देश की शान्ति पर पड़ता है। इसलिये जहां ऐसी स्थिति हुआ करे तो, मैं निवेदन करूंगा कि ध्यान-आकर्षण प्रश्न किस तरह से उठेंगे, कहां पर वह अलाऊ होंगे इसके बारे मे छोटे या बड़े आदमी का महत्व नहीं है। महत्व इस चीज का है कि ध्यान-आकर्षण

प्रश्न किस चीज से सम्बन्धित है । इसलिये अपना निर्णय देते समय आप इस चीज पर विचार करें ।

Shri D. C. Sharma (Gurdaspur): I beg to submit very respectfully that when you have rejected a calling-attention notice, as you have ruled several times, the matter should not be raised on the floor of the House. If the hon. Member feels aggrieved, he can see you in the Chamber and you will try to satisfy him. I do not, therefore, see any reason why a question like that should be raised on the floor of the House again and again.

I would also submit that you have made the right distinction between Members of Parliament and those who are not Members of Parliament. I think that this is a protection of the privileges of Members of Parliament, and for that we shall all feel grateful to you and the coming generations will also feel grateful to you. But the fact of the matter is this that this privilege which you have given to Members of Parliament cannot be arrogated by anybody else, however eminent and distinguished he may be. I would submit very respectfully that the fact that a calling-attention-notice has been signed by a large number of persons does not mean that the subject-matter of the calling-attention-notice has been validated. Therefore, I think that we are not to judge a calling-attention-notice by the number of signatories it has but by the importance of the matter. I think that this principle should be stuck to and should not be departed from in future.

Shri U. M. Trivedi: It is a question of Hindu-Mussalman reaction.

Mr. Speaker: I have explained my position already and yet criticism is being made of my conduct. That is not fair. I have that discretion that even when I disallow a calling-attention-notice or a motion, if I think that I should mention it in the House, I can do so. Therefore, I have done nothing in excess of what powers the rules have provided me with. Therefore, there ought not to be any surprise at that.

I must also confess that it may be my weakness that if there are a large number of signatories, I am influenced, and out of respect to them, sometimes....

Shri Hari Vishnu Kamath: It is your wisdom, not weakness.

Shri Nath Pai: It is your sense of fairness.

Mr. Speaker:....I mention it in the House, though the decision remains the same. I must assure hon. Members that simply because a large number of Members have signed it, the decision is not changed; it remains the same. But I show them this much respect that sometimes, I do mention it in the House.

श्री प्रकाशवीर शास्त्री (बिजनौर) : मैं आप से नम्रतापूर्वक निवेदन करना चाहता हूं कि आप ने यह व्यवस्था दी है कि इडिविजुअल केसेज को हम ध्यान-आकर्षण का विषय न बनायें । लेकिन मैं निवेदन करना चाहता हूं कि कुछ व्यक्ति ऐसे होते हैं जो एक संस्था से भी बड़े होते हैं और उनके सम्बन्ध में लिये गये किसी निर्णय का प्रभाव एक संस्था पर ही नहीं पूरे देश पर पड़ा सकता है । जब हमारे देश के गृह मंत्री इस बात को चाहते हैं कि हमारे देश में कोई साम्प्रदायिक तनाव न बढ़े तब इतने बड़े महत्वपूर्ण व्यक्ति को गिरफ्तार करके आग में घी डाल देना और उस चीज को बढ़ाने देने का अवसर देना देश की परिस्थिति को बिगाड़ना है । इसलिये इसको एक व्यक्तिगत बात न समझा जाये ।

अध्यक्ष महोदय : यही बात रंगा साहब ने कही थी ।

Shri Surendranath Dwivedy (Kendrapara): I do not want to go into

[Shri Surendranath Dwivedy]

the merits of this particular question. But as regards calling-attention-notices or adjournment motions, you have been following a policy, with the support of almost the whole House as such. I think there are occasions when on technical....

Mr. Speaker: If hon. Members desire, I can request them to come to my Chamber. That can be discussed there.

Shri Surendranath Dwivedy: I think we should follow the salutary principle which we have so far been following. Whenever there is a matter which is highly important, it should be left to the Speaker to mention it, and if the Members feel exercised, they can raise it in the House with your permission. I think this will be a salutary principle. We accept that decision. By and large, ordinarily, it should not be raised. That is how we have proceeded in the matter. I think this should be followed as a matter of policy.

Shri S. M. Banerjee (Kanpur): I have to submit two things, one is about your ruling and the other is about calling-attention-notices and adjournment motions.

I have been pleading in this House that calling-attention-notices are tabled on the basis of some information which has appeared to us of urgent public importance. Your ruling that the arrest of a person other than a Member of the House cannot become a matter of urgent public importance and, therefore, cannot be the subject-matter of a calling-attention-notice is one with which I respectfully disagree, though I bow to it. I say this because today some people may be arrested who are not members of this House. According to the rules of procedure, we feel that it may be a matter of urgent public importance which can be raised through a calling-attention-notice. So, a calling-attention-notice is based on a matter not depending on whether it relates to the arrest of a particular person or persons who according to us may be very great or important, but depending on whether the matter is one of urgent public importance. And you in your wisdom has to decide whether it is of such importance. So there is a genuine feeling in this House that your ruling will amount to some sort of a curtailment on our right of representing the people of our constituencies and of the country. That will be bad thing.

Mr. Speaker: No, no.

Shri S. M. Banerjee: As regards the calling atention notice, I welcome the observation you have made. At least you allowed Shri Ranga to explain the point. This is our earnest desire so that it can be decided whether the matter is a Central matter or a State matter. But we are not given an opportunity to do so. You always call us in your Chamber. We have no grouse against it. But I submit opportunity should be given to the Members to prove in this House and argue, if necessary, that the matter is of urgent public importance.

Mr. Speaker: It cannot be proved in the House. Shrimati Renu Chakravartty. There is a calling attention notice.

12.14 hrs.

RE. MOTION FOR ADJOURNMENT

Shri Nath Pai (Rajapur): Before you pass on the next business, may I make a submission, not on the matter which has been under discussion so far, but on a mater of parallel importance?

Mr. Speaker: I would request him to write to me then.

Shri Nath Pai: I have written also. I have followed all these directions very scrupulously. I had tabled my adjournment motion. I got your word

that you are not pleased to admit it. Then I wrote to you a letter. I am just claiming.....

Mr. Speaker: That is good enough. I have not given him permission to raise the matter in the House.

Shri Nath Pai: May I at least be permitted to make a very brief submission?

Mr. Speaker: I would just put this to the hon. Member. If we proceed on this basis that I shall have to answer every notice here because every Member has a right to raise it in the House, what will be the result? Today, there were not such a large number. But sometimes I get 30 notices in my Chamber. If 30 Members stand up one after the other and I have to explain and they argue with me as to why I have disallowed it and submit that it must be taken and I should revise my decision here in the House, is that possible to do?

Shri Nath Pai: I was not doing that. We have always followed your ruling very scrupulously in this matter.

In the first place, my plea to you is this. Unless you give me permission, I do not want to take you by surprise by mentioning the subject, I will not indulge in those tactics, but certainly the kind of matter I would like to raise in the House by way of an adjournment motion is not one of those innumerable small matters. It is very rarely that we are confronted with a situation like the one that we try to raise.

Mr. Speaker: That was about U.P. That cannot be raised. Yesterday I have given a ruling. This is not the earliest opportunity. Yesterday it was raised. (*Interruptions*).

Order, order. Certain consequences have to flow from the decision that was taken there by the legislature or the judiciary afterwards, and if these are being implemented by subsequent acts, there is nothing new that has arisen. Yesterday, we took a decision and there I gave my ruling. That cannot be raised here. How can I allow it to be raised here again today?

श्री राम सेवक यादव (बाराबंकी) : अध्यक्ष महोदय, आज नई बात पैदा हो गयी है ।

Shri Nath Pai: May I point out that I was sitting in the House hearing attentively to what was happening here. I did not know that there was an adjournment motion, and by whom it was sought to be moved. You said there was some correspondence between you and another Member. Certainly, the House was not taken into confidence. The admissibility of an adjournment motion was never raised. I never challenge your right to disallow a motion, but at least on an important matter like this, we should speak. I have taken an oath under the Constitution when I became a Member that it will be my principal duty to owe allegiance to the Constitution and see that the work of this House is carried on in accordance with the Constitution. My plea is that in U.P. the Constitution has been brought into disrepute, and it is a matter of such vital importance to all of us. I do not think it is a party matter at all; in U.P. it was not, and here it is not, and in that spirit I want to plead with you and explain why I have tried to raise it.

If you will bear with me for two minutes to make a submission, my whole contention is this, that there is a duty cast on us under the various provisions of the Constitution.

Mr. Speaker: If he has any case, he can come and convince me in the Chamber. When I have given a ruling, that stands, and I cannot revise it. Yesterday, I mentioned this matter, not that the Members did not know. I mentioned this matter particularly. Some observations were made by some other Members also. Will he kindly resume his seat?

Shri Nath Pai: May I say something—after you have finished?

Mr. Speaker: Yesterday, I had mentioned the subject, the issue that was there, and then I had asked certain Members also whether they could show me any provision of the Constitution under which we could take cognizance of this matter. I heard them, and after hearing them, I was satisfied that there was no constitutional provision which gave us power to take up the matter. That has been closed yesterday. So, anything that flows from that is a continuation of that. There is nothing new that has arisen. Therefore, I cannot take it up. If the hon. Member still feels that he has a case to be argued, certainly I would welcome him and request him to come over and explain to me. That is all I can do.

Shri Anthony.

श्री राम सेवक यादव : अध्यक्ष महोदय, मेरा एक निवेदन सुन लें ।

अध्यक्ष महोदय : जो कानून की बात है उसे मैं पहले सुन लूं ।

Shri Frank Anthony (Nominated—Anglo-Indians): With great respect to you, this is a matter of unique significance and of vital importance. Every one of us is agitated by it. Now, the discretion is entirely with the Chair, and the Chair is not bound to blot out an adjournment motion. You are aware of Rule 60.

Mr. Speaker: Which rule?

Shri Frank Anthony: I am sorry, 56 is the rule. The convention that has been honoured is this. If the matter is of sufficient vital importance, it can be raised. This matter is of unique importance, because many of us feel that at least the Central Government is the final custodian of the Constitution. Here, the whole Constitution is being brought into utter disrepute, and there is something which is entirely new—an order for the arrest of two members of the judiciary, a matter with which we are directly concerned. Are we going to abdicate our authority in this matter?

Shri Nath Pai: You should, therefore, allow us to speak on the admissibility.

Shri H. P. Chatterjee (Nabadwip): He has a right to be heard. You are satisfied. We should also be satisfied.

श्री राम सेवक यादव अध्यक्ष महोदय, मेरा निवेदन सुन लीजिए ।

Shri Nath Pai: Mr. Speaker, I would just request you to bear with me, hardly two minutes. I am sorry to have to say that I did not hear yesterday the text of the adjournment motion being read here; had I heard it I would not have come here seeking to raise the same subject. But there is another important matter; even if it were raised here, subsequent developments have taken place with regard to which we could not sit idle in this House. I read barely half of it yesterday but today....

Mr. Speaker: I request him to be brief.

Shri Nath Pai: I shall be very brief, Sir. The point is whether the Government of every State is carried out in accordance with the provisions of the Constitution. This is a necessity enjoined upon Parliament when there is a Proclamation of Emergency. My submission is that in the manner that things have taken place in U.P., Government, according to the Constitution, is very much in jeopardy and when that happens, Parliament cannot sit idle.

Article 226 of the Constitution lays down:

> Notwithstanding anything in article 32, every High Court shall

have power, throughout the territories in relation to which it exercises jurisdiction, to issue to any person or authority, including in appropriate cases any Government, within those territories directions, orders or writs, including writs in the nature of *habeas corpus, mandamus....*"

There is this over-riding provision in the Constitution and the High Court in U.P. tried to discharge its obligations. The U.P. Legislature has interfered with this and therefore, interfered with the provisions of the Constitution.

May I also read out article 211? It is also very important and an over-riding article; it says that the State legislature shall not interfere with the duties of the High Court. Then again, article 21 says that no person shall be deprived of his life or personal liberty except according to procedure established by law. There is no procedure established whereby a citizen by the orders of a legislative assembly can be deprived of his liberty. This is what precisely happened and the High Court under article 226 came to the rescue of the citizen. The U.P. legislature in its misguided enthusiasm about its misguided....

Mr. Speaker: Order, order. We cannot pass strictures on the legislatures or the judges; I have heard him. He may resume his seat.

Shri Nath Pai: But I have not made the point clear. I read out to you the provisions of the Constitution and I shall now explain how the Constitution is being brought into disrepute and where the responsibility of this Government comes in.

We find that the Governor is responsible to the Union Government; he is the nominee of the Union Government and he was not present when these things took place. The Governor ought to have taken the Speaker of the assembly into confidence, told him the consequences of the action and seen that the Constitution is carried out.... (*Interruptions.*) Why are these people crying? You wanted to know how it was the responsibility of the Union Government and I am showing it. Is not the Governor a nominee of the Union Government to uphold the Constitution there? The Assembly should have been dissolved by the Governor because the Assembly was failing in its duty.... (*Interruptions.*)

Mr. Speaker: He does not yield and four hon. Members stand up! He may resume his seat.

Shri Nath Pai: Sir, I do not want to impose myself and if you do not allow me to continue I shall resume my seat. I have made out a case that the Constitution has been brought to ridicule and the rule of law has been brought to jeopardy.... (*Interruptions.*) In view of that, I think the Union Government has failed in issuing the necessary directions to the Governor to see that the Constitution is upheld. In view of this failure, I plead with you that my motion for adjournment be admitted.

श्री राम सेवक यादव : अध्यक्ष महोदय, मेरा एक निवेदन सुन लें...

अध्यक्ष महोदय : उस बात को माननीय सदस्य को दुहराने की जरूरत नहीं है । श्री नाथ पाई ने उसे बड़े अच्छे तरीके से कह दिया है अलबत्ता कोई नई चीज कहना चाहते हों तो थोड़े में कह दें ।

श्री राम सेवक यादव : मेरा निवेदन तो आप पहले सुन लें । अभी जैसा कि श्री नाथ पाई ने कहा, उन बातों को मैं अक्षरशः मानता हूं और उनसे सहमत हूं । अब जो आपने मुझ से कहा है कि कोई नई बात कहनी हो तो मैं कहूं तो श्रीमन्, वह नई बात जो पैदा हुई है वह यह है कि इलाहाबाद उच्च न्यायालय की पूरी बेंच ने वहां के अध्यक्ष को और उनके लेजिस्लेचर को वारण्ट न जारी करने का आदेश

[श्री रामसेवक यादव]

दिया है और अगर इस बीच वारण्ट जारी हो गया हो तो उसको तामील न करने की हिदायत दी है। इलाहाबाद हाईकोर्ट की पूरी बेंच ने तो यह निर्णय दिया है और अन्तरिम निषेधाज्ञा जारी की है और इधर आज हमको सवेरे टेलीफोन से इत्तिला मिली है कि उत्तर प्रदेश विधान सभा के अध्यक्ष ने इसके बाद भी वहां वारण्ट जारी कर दिये। नतीजा यह है कि वहां की कार्यपालिका और वहां की विधायिका दोनों मिल कर, जो उच्च न्यायालय इलाहाबाद का है, जो सर्वोच्च न्यायालय के मातहत है, जो वहां की न्याय पालिका है और जो कि केन्द्रीय सरकार के द्वारा कंस्टीट्यूट होती है उनने जो आदेश दिया, फैसला दिया उसका पालन नहीं हो रहा है। कार्यपालिका का यह कर्तव्य होता है कि न्यायपालिका जो आदेश दे उसको वह अमल में लाये लेकिन ऐसा नहीं हो रहा है। इसलिए मेरा निवेदन है कि वहां पर इस समय कोई न्याय व्यवस्था है नहीं। संविधान टूट गया है और एक अराजक स्थिति है...

अध्यक्ष महोदय : अब बैठ जाइये।

श्री राम सेवक यादव : दूसरी बात मुझे यह कहनी है कि श्रीमन्, वहां का मन्त्रिमण्डल दो हिस्सों में विभक्त हो गया है...

अध्यक्ष महोदय : अब ऐसी बातों पर हम कैसे जा सकते हैं ?

श्री राम सेवक यादव : संविधान टूट गया है; मन्त्रिमण्डल दो हिस्सों मे बट...

अध्यक्ष महोदय : नहीं, बिल्कुल नहीं। जैसा कि माननीय सदस्य ने कहा कि वहां का मन्त्रिमण्डल दो हिस्सों में बंटा हुआ है तो इसमें हम क्या कर सकते हैं ? माननीय सदस्य बैठ जायें।

श्री राम सेवक यादव: श्रीमन्, मेरी पूरी बात तो आप सुन लें।

अध्यक्ष महोदय : आप यही बात कहेंगे और मैं इसकी इजाजत नहीं दे सकता। नई बात जो आप ने कहनी थी वह कह ही दी।

श्री राम सेवक यादव : बहुत से लोगों ने भी शायद वही बातें दुहरायी होंगी। मेरी भी बात पूरी सुन लें।

मेरा यह निवेदन है कि जब कार्यपालिका अपने कर्तव्यों को पूरा न करे और न्यायपालिका ने जो आदेश दिया है उसके द्वारा कार्यान्वित न किया जाय तो वह एक गम्भीर मामला हो जाता है। विधायिका, न्यायपालिका और कार्यपालिका यह तीन अंग होते हैं किसी सरकार के और अगर यह तीनों अंग अपनी अपनी जगह पर ठीक ढंग से न चलें तो संविधान टूट जाता है। ऐसी स्थिति पैदा हो जाने पर विधान की धारा ३५५ में यह लिखा हुआ है :—

"It shall be duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

मेरा निवेदन है कि चूंकि न्यायपालिका के अधिकारों में हस्तक्षेप हो रहा है और उसके आदेश को पूरा नहीं किया जा रहा है इसलिए श्रीमन्, उसके आगे जो आर्टिकल ३५६ है उसमें केन्द्र को अधिकार है कि ऐसी स्थिति जब कहीं पर पैदा हो जाय तो प्रेज़ीडेंट उसमें हस्तक्षेप कर सकेंगे और वहां का काम वह स्वय सम्हाल सकेंगे। इसलिए मेरा निवेदन है कि भारत सरकार और प्रेज़ीडेंट का कर्तव्य था कि वह देखें कि सविधान के मुताबिक सरकार प्रदेशों में चले और अगर कहीं संविधान टूट गया है तो वहां पर उसको हस्तक्षेप करना चाहिए और वहां का काम उसे स्वयं सम्हालना चाहिए।

Shri Frank Anthony: Mr. Speaker, Sir, I merely wish to supplement

what my hon. friend Shri Nath Pai has said. First of all, you are well aware that....

Shri S. S. More (Poona): Sir, on a point of order. You had given a very definite and almost irrevocable ruling yesterday, and that very ruling is being discussed at length by the hon. Members of the Opposition. There are so many rulings and decisions that the Speaker's rulings shall not be questioned.

Mr. Speaker: Yes; they cannot be questioned, but there are new questions that are being raised. Let me hear if there is something new.

Shri Frank Anthony: May I make my submission in three parts? There is no question here of our traversing or seeking to resist the exercise of authority by a State legislature. What we say is this: everyone of us is bound by the Constitution; it is sovereign. Look at the Constitution, look at its *prima facie* implications. As Shri Nath Pai says, there is the fullest amplitude of power in the high courts under article 226 to issue orders to any authority *ex facie* (*Interruption*).

Mr. Speaker: Order, order.

Shri Frank Anthony: My hon. friends, as laymen do not know that any authority means any authority. (*Interruption*).

Mr. Speaker: Order, order. In this manner, we shall not be able to achieve anything. When one Member speaks, the others must listen. We will have it, one by one.

Shri Frank Anthony: With great respect, I am mentioning the ordinary, grammatical meaning—I am speaking to you who are an ex-judge —and that is, any authority will mean the State legislature also. So far as the Supreme Court is concerned, it would be the Centre. Nobody can question the exercise of these powers by the Judges, under article 211. When you get an order of arrest being made against two Judges who are exercising their authority, which cannot be questioned in any legislature, then immediately article 355 is attracted. With great respect, I say that this *non possumus* attitude of the Government is ununderstandable. They were bound to go to the President and say that the Constitution has been palpably violated. (*Interruptions*). How can the decision of the High Court be set aside except by following the process of the Constitution? The legislature should have gone up under article 226 to the High Court or failing the High Court, they should have gone on special leave to the Supreme Court. These are the processes of the Constituiton.

The Constitution has been palpably violated. We see the possible position of two Judges being subjected to a process of arrest and they will not advise the President under article 355 to say to the legislature, "You must wait; let this matter go to the Supreme Court, failing which I will be obliged to dissolve the legislature". That is the duty of the Government. Otherwise, the whole judiciary is brought into contempt.

Shri U. M. Trivedi (Mandsaur): The position is, either the Assembly has exercised jurisdiction not vested in it by law or the Judges have exercised jurisdiction not vested in them by law. In any event, both of these do conflict with the provisions of the Constitution. If they conflict with the provisions of the Constitution, it is the duty of this august House to decide and disentangle this position as to who has violated the principles of the Constitution as laid down. It must be decided here only, because if this Government think that the Judges have acted in a *mala-fide* manner or in a manner not becoming of them.....

Shri Frank Anthony: How can they act in a *mala fide* manner?

Shri U. M. Trivedi: That is my view.

Shri Nath Pai: Is it as bad as saying that the Judges act in a *mala fide* manner and you are allowing it? (*Interruption*).

Mr. Speaker: He is not saying that the Judges have acted in a *mala fide* manner. He only says, suppose like that.

Shri U. M. Trivedi: Or, if the legislature has acted in a *mala fide* manner, then the duty will still be cast upon this House to take proper action, either by having an Address presented to the House for removal of the Judges or by calling upon the President to dissolve the legislature. In any case, this is a matter which must be considered by this House.

Mr. Speaker: We have heard eminent lawyers and I am benefited by their advice.

Shri Harish Chandra Mathur (Jalore): Not the Law Minister.

Mr. Speaker: I will hear him also.

श्री प्रकाशवीर शास्त्री (बिजनौर) : अगर ला मिनिस्टर से पहले चागला साहब भी कुछ कहा दें, तो बड़ा अच्छा हो।

The Minister of Law (Shri A. K. Sen): Certainly my colleague is very welcome, but since you have called upon me, Sir, I shall try to discharge my function as ably as I can, though I feel very diffident on an occasion like this. I must frankly say that whatever the merits of this, I have been extremely concerned at the way the person and the dignity of the Judges have been sought to be touched. The matter is pending the consideration of the highest legal authority in the country—the Attorney-General—and I do not wish to say anything which will prejudice the consideration of that. But let me give vent to the expression of the entire judicial conscience of this country that this country will not easily tolerate any affront to our Judges. I have been very concerned myself, being a lawyer all my life and having tried in my humble way to assist the Parliament in the discharge of its constitutional functions. Whether the Parliament can adjudicate upon this matter or not has to be seen by the Attorney-General.

Secondly, a Judge can only be corrected by a higher court and not by any other authority. The Constitution which we all obey enshrines the judiciary on a very high pedestal. No one, however mighty he may be, can touch that person.

An Hon. Member: What about the legislature?

Shri Iqbal Singh (Ferozepur): What about the Parliament?

Shri Thirumala Rao (Kakinada): May we know whether the Law Minister is explaining the position of the Government or he is giving his personal opinion?

Shri Nath Pai: It is the opinion of the Law Minister of India.

Shri A. K. Sen: The President will form his opinion after he gets the advice from the Attorney-General. As I have been called upon by you, Sir, I am giving my own opinion.

Shri Nath Pai: Do not be deterred by what they say.

Shri A. K. Sen: I venture to submit, Sir, that even the Parliament cannot judge our judges, and the judges can only be judged by a higher court. Even the Parliament, if it acts without jurisdiction, the courts can correct it. Many laws passed by the Parliament are declared bad becuase they had acted without jurisdiction. Similarly, in their administrative capacity if they act without jurisdiction—I do not know whe-

ther they have acted or not, because, as I said, I am not touching on the merits—who will judge whether any authority, any legislature has acted strictly within its own jurisdiction, has acted *bona fide* in the discharge of its functions within its jurisdiction or not? Only the courts will judge it. This country knows no other authority to judge excepting the court.

Therefore, Sir, this is my own view. But I entirely agree with you, with all respect to those hon. Members of the Opposition who have raised this point, that pending consideration of the matter by the Attorney-General and pending the decision of the President in this matter, any discussion in this House will be premature and might prejudice a dispassionate judgment on the matter. This is my view (*Interruptions*).

Mr. Speaker: Order, order. I have heard Shri Nath Pai. I have heard others also. I am not allowing anybody now.

Shri Khadilkar (Khed): Sir, I rise on a point of clarificaiton.

Mr. Speaker: Order, order. I do not require any other advice now.

Shri Ramanathan Chettiar (Karur): Sir, I rise to a point of order.

Mr. Speaker: No point of order arises out of this.

Shri Khadilkar: Sir, I am raising a point of order.

Mr. Speaker: Order, order. I hope hon. Members will excuse me. I am not going to allow any further discussion on this at this stage.

Shri Ramanathan Chettiar: Sir, you must hear the layman's point of view (*Interruptions*).

Mr. Speaker: Order, order. I have heard this side and I have also heard that side. I will not allow any further discussion on this. I would request hon. Members to resume their seats.

Shri Parashar (Shivpuri): Sir, a constitutional query has been raised here, that the Parliament cannot question.....

Mr. Speaker: Order, order. Hon. Member may resume his seat. I am not allowing any hon. Member now.

Shri Ramanathan Chettiar: Sir, You must hear the layman's point of view. You have heard eminent lawyers (*Interruptions*).

Mr. Speaker: Order, order. I am surprised at this attitude of hon. Members. I am standing for the last so many minutes. I have heard both sides, and still hon. Members are not allowing me to speak.

Shri Ramanathan Chettiar: This is a crucial matter concerning the sovereignty of the legislature. It is the sovereignty of the Parliament that is in danger. It is being questioned in the court of law (*Interruptions*).

Mr. Speaker: Order, order. He may kindly resume his seat.

Shri S. M. Banerjee: Sir, I have a submission to make.

Mr. Speaker: No, Sir. I am not going to allow.

Shri Parashar: Sir, you have to give us an opportunity.

Mr. Speaker: Order, order. When I am not allowing anybody, how can I allow him. He must sit down.

Shri Khadilkar: Sir, give me one minute.

Mr. Speaker: No, he must sit down.

Shri Ramanathan Chettiar: Sir, you must give us an opportunity.

Mr. Speaker: Hon. Members would hear me and after that we will decide.

Shri Khadilkar: Sir, will you kindly give me one minute?

Mr. Speaker: No, Sir.

Shri Khadilkar: You asked the Law Minister to give his opinion on this (*Interruptions*).

Mr. Speaker: All right then. I will sit down. Nothing shall be recorded now.

* * * *

Shri S. M. Banerjee: Sir, I rise on a point of order.

Mr. Speaker: What is the point of order?

Shri S. M. Banerjee: It is really not a point of order.

Mr. Speaker: Then he might sit down.

Shri S. M. Banerjee: Sir, may I point out....

Mr. Speaker: Order, order. I request him to sit down. I am not allowing any discussion.

Shri Nath Pai: I do not want to raise.....

Mr. Speaker: If the House is so disposed, certainly, I will allow all the members to speak. Let the discussion go on a discussion which is useless, fruitless and not capable of bringing any result. If anybody wants to speak, let him speak..... When I am on my legs, members do not allow me to speak. I was on my legs for five or six minutes and in spite of my repeated requests Members did not sit down. Even now members are standing and speaking without being identified.

Shri Nath Pai: You are sitting, Sir.

Mr. Speaker: But unless he is identified, how can he continue standing? Now, the Law Minister has given his personal opinion.

Shri S. M. Banerjee: It is his own opinion (*Interruptions*).

Mr. Speaker: Order, order. Will hon. Members resume their seats or not? Otherwise, I have no choice except to adjourn the House.

Shri R. S. Pandey (Guna): Sir, on a point of order.

Mr. Speaker: Order, order.

Shri R. S. Pandey: If you do not agree, I do not want to raise the point of order. It is only if you would like to hear me that I would like to raise the point of order.

Mr. Speaker: What is it?

Shri R. S. Pandey: My point of order is this. The Law Minister has explained something on this very issue. Later on, he said "this is my personal opinion". I want to know whether he is entitled to explain on the floor of this House his personal opinion as distinct from his capacity as Law Minister. On this very important question, he is entitled to speak on the floor of the House only in his capacity as Law Minister; not in his personal capacity. We are anxious to hear his views as Law Minister and not in his personal capacity.

Shri Ramanathan Chettiar: My point of order is this.

Mr. Speaker: Is it also a point of order?

Shri Ramanathan Chettiar: No. I must also be given an opportunity to explain the view point of a lay man. You have heard eminent lawyers.

Shri Surendranath Dwivedy (Kendrapara): Is he supporting or opposing it?

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*Not recorded.

Shri Ramanathan Chettiar: There is no question of supporting or opposing. I would like to recall....

श्री बागड़ी (हिसार) : गृह मंत्री जी बैठे हुए हैं उन से पूछ लें ।

Mr. Speaker: Order, order. (*Interruptions*) If nobody listens to me, I shall have to adjourn the House. If I am not heard, what can I do. Even those who tell me that my authority is absolute, they do not obey me. That is the tragedy.

Shri S. M. More: It is the Opposition members who have started it... (*Interruptions*).

Shri Surendranath Dwivedy: Don't say that.

Mr. Speaker: It has come from both sides.

Shri M. L. Dwivedi (Hamirpur): No senior member has spoken from this side, excepting the Law Minister.

Mr. Speaker: The Law Minister has spoken.

Shri M. L. Dwivedi: But he has not spoken on behalf of all members on this side of the House (*Interruptions*).

Mr. Speaker: Now I must proceed with my own decision. I have heard both sides. I am not giving any opinion about the independence of the judiciary and the sovereignty of the legislature.

Shri Nath Pai: We have submitted to you the constitutional position.

Mr. Speaker: The Constitution is sovereign. Of course, it is above all. Even after hearing all those hon. Members who have spoken, I am not convinced that this Parliament at this stage has any authority to go into the dispute that is going on there. That is what I decided yesterday. As for the failure of the Government,—because some hon. Members have said that the Government must have taken some steps by this time to declare that the constitutional machinery has failed in a State—yesterday it was explained that the Government is trying to get the opinion of the Attorney-General. If the Government wants to satisfy itself by getting that advice, can't we give the Government that much time so that it might satisfy itself about the correct and right position?

Shri Daji (Indore): The judges will be arrested in the meanwhile.

Shri S. M. Banerjee: The Marshal is going to arrest the judges in U.P.

Mr. Speaker: If the Marshal is going, we have no authority to keep the Marshal away.

Shri Nath Pai: Has the President no duty to discharge?

Shri S. M. Banerjee: If we wait till the advice of the Attorney-General is received.....

Shri Ramanathan Chettiar: Sir, you are giving opportunities to members on the other side only.

Shri S. M. Banerjee: Sir, may I submit.....

Mr. Speaker: I have requested the hon. Member so many times to resume his seat. He always says "Sorry" but there is no effect afterwards.

Shri S. M. Banerjee: Sir, I have never done it.

Mr. Speaker: So many times he has done it.

Shri S. M. Banerjee: If you will ask me, I will go out. I will bow to your ruling.

Mr. Speaker: Now the new point that has been raised and brought to my notice is that the warrant of arrest that has been issued has been signed by the Speaker. When the

[Mr. Speaker]

Legislature had taken a decision, how can the Speaker refrain from or refuse to sign that warrant? If this House takes a decision on a particular issue, can I exercise any discretion and say that I will not sign a document which is prepared in pursuance of that decision of the House? So, the Speaker has done nothing wrong in that respect. When it is the order of the House, the Speaker can only execute that order. The decision can be taken only by the House. We need not go into the details. Of course, our judiciary is independent. It is enshrined on a very high pedestal. I have every respect for it. But the Legislature is also sovereign. Now a conflict has arisen between the two which we must somehow resolve. That requires patience on both sides and some discretion. That is what we need at this moment. It is a constitutional crisis. Perhaps, some lacuna might be found in the Constitution itself, because Shri Frank Anthony has now urged that the High Court can issue any writ on any authority. If we stretch it further, it might be said that the High Court can issue a writ to the Supreme Court also, because Supreme Court also comes under the category "any authority". (*Interruptions*) Of course, that is only if the words of the Constitution are taken strictly in their technical sense. So, we have to interpret everything in a just manner so that there might not be any conflict and there is reconciliation between the different provisions of the Constitution.

Government have stated yesterday that they were consulting the Attorney-General, they will get the best opinion that they can and then decide what they should do in this matter. There is nothing new that has arisen now. Therefore, the decision which I gave yesterday that I cannot admit any adjournment motion on this still stands. The second ground of delay also falls to the ground because it was there and we had discussion yesterday. Whatever has happened afterwards is only a continuation of the previous one.

Shri Nanda: A quesiton was raised yesterday as to what the Government was doing or going to do about the matter. I informed the House that we had apprised the Attorney-General of the position as was brought to our notice. The Attorney General said that he would need the proceedings of the Assembly and the copy of the judgment before he applied his mind to it and came to a conclusion. I do not think the House wants that if anybody else has acted in a hurry the Attorney General also should do the same and later on some questions may be raised.

Now, the latest position is that all the necessary documents required by the Attorney General have been obtained from the U.P. Government and the Attorney General is examining the legal questions arising out of this matter particularly with reference to the respective jurisdictions of the High Court and the Legislative Assembly and, further, the question whether it would be appropriate in the circumstances for the President to make a reference to the Supreme Court of India under article 143 of the Constitution. I hope, it will be done very soon; we shall have the opinion very soon.... (*Interruption*).

Shri Daji: May I ask a question of the hon. Home Minister?

Mr. Speaker: Shrimati Renu Chakravartty.

Shri Nath Pai: You said, Sir....

Mr. Speaker: I cannot proceed further with that.

Shri Nath Pai: You ridiculed us on a point which I want to clarify. This much fairness should be shown to us. You ridiculed us.

Mr. Speaker: No.

Shri Nath Pai: 'Any authority' does not mean the Supreme Court because the article very clearly says....

Mr. Speaker: All right; if that does not mean that, let it remain.

Shri Surendranath Dwivedy: May I just suggest that in order to help the Attorney General this part of the proceedings that took place in this House. . . . . .

Mr. Speaker: I am not allowing any further discussion on this.

Shri Surendranath Dwivedy: I am only suggesting that the proceedings of this House so far as they relate to this matter that we have just now discussed may also be sent to the Attorney General so that it may help him.

Mr. Speaker: That is a suggestion.

12.52 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

JUDGEMENT OF PUNJAB HIGH COURT re: REHABILITATION MINISTRY'S INTERFERENCE IN ADMINISTRATION OF JUSTICE

Shrimati Renu Chakravartty (Barrackpore): Sir, I call the attention of the Minister of Works, Housing and Rehabilitation to the following matter of urgent public importance and I request that he may make a statement thereon:—

> A recent judgment of the Punjab High Court wherein the Chief Justice has made certain observations about Rehabilitation Ministry's interference in the administration of justice by semi-judicial officers at the instance of a Member of Parliament.

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): The statement runs into five pages. Will you like me to read it or to place it on the Table?

Mr. Speaker: The statement is contained in five foolscap pages. Either we can ask him to lay it on the Table and then at another opportunity I can allow hon. Members to ask questions; meanwhile they may read it...

Shrimati Renu Chakravartty: You may take it up tomorrow then.

Mr. Speaker: He might lay it on the Table. [*Placed in Library. See* No. LT-2569/64].

ARREST OF MEMBER

Mr. Speaker: I have to inform the House that I have received the following telegram, dated the 23rd March, 1964, from the Additional District Magistrate, Lucknow:—

> "Shri Yuveraj Dutta Singh, Member, Lok Sabha, arrested at Lucknow on March 23rd at 11·15 A.M. for defiance of orders under Section 144, Criminal Procedure Code. He is lodged in Lucknow District Jail."

12.53 hrs.

CONVICTION OF MEMBER

Mr. Speaker: I have to inform the House that I have received the following wireless message, dated the 23rd March, 1964, from the Inspector-General of Police, Hyderabad:—

> "Judicial Magistrate, First Class, Cuddapah, convicted Shri Y. Eswara Reddy, Member, Lok Sabha, on the 23rd March, 1964 to one week's simple imprisonment under Sections 143 and 447, Indian Penal Code, under each section, and the sentences to run concurrently."

PAPERS LAID ON THE TABLE

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): Sir, I beg to lay on the Table a copy each of the following Reports:—

(i) Annual Report of the Indian Central Arecanut Committee for the year 1962-63. [*Placed in Library. See* No. LT-2570/64].

(ii) Annual Report of the Indian Central Oilseeds Committee for the year 1962-63. [*Placed in Library. See* No. LT-2571/64].

12.54 hrs.

CORRECTION OF ANSWER TO STARRED QUESTION NO. 614

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): With reference to Starred Question No. 614 which was answered in the Lok Sabha on 17th March, 1964, in reply to a Supplementary question put by Shri Bade as to whether one ice-cream vendor in Bombay was given a contract without calling tenders and the Public Accounts Committee had passed strictures against that contract, speaking from memory I stated as follows:—

> "I believe it is mentioned in the report of the Public Accounts Committee. We are looking into it."

Actually this forms the subject matter of a para in the Audit Report for 1964 and has still to go before the Public Accounts Committee and therefore, there could have been no question of the Public Accounts Committee having passed any strictures. As the House is aware, the Public Accounts Committee will go into this para along with other paras in the Audit Report, Railways, 1964, while examining the Railway Ministry in due course.

Shri Bade (Khargone): Sir, I want a clarification. The hon. Minister has said that it is reported in the Audit Report, 1964. That is correct. But even then, was the contract given without tenders and there was a loss of Rs. 40,000/- in 1956? Up to this time what has the Government been doing? That was my question.

Shri S. V. Ramaswamy: In regard to the Audit Report I have mentioned the procedure to be followed. This will be taken up by the Public Accounts Committee in due course while examining the Railway Ministry, that is, both this paragraph and all other paragraphs. We will have to wait.

12.56 hrs.

DEMANDS FOR GRANTS—*contd.*

MINISTRY OF TRANSPORT—*contd.*

Mr. Speaker: The House will now take up further discussion and voting on the Demands for Grants under the control of the Ministry of Transport. The hon. Deputy Minister may continue his speech.

Shri P. K. Ghosh (Ranchi East): When is the hon. Minister going to reply?

Mr. Speaker: How long is the hon. Minister likely to take?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): About an hour.

Mr. Speaker: I will call him at 2 o'clock then.

The Deputy Minister in the Ministry of Transport (Shri Mohiuddin): Mr Speaker, Sir, the Indian Airlines Corporation and the Air India have been mentioned yesterday in the debate on the Demands for Grants of the Ministry of Transport. Air India's performance has been vrey good during the year 1962-63. It has established a reputation as one of the best international airlines. Shri Brij Raj Singh mentioned about his talk in the USA about the maintenance of the equipment of Air India. I am glad to say that Air

India's high standard of maintenance is appreciated everywhere. Moreover, our pilots have inspired confidence all over the world as far as their efficiency is concerned. Their cabin service is always appreciated. In 1962-63 Air India has made an operating profit of Rs. 3,45,00,000. After allocating heavy sums towards depreciation and other requirements the net profit is Rs. 1,37,00,000 out of which for the first time they have paid to the Government dividend on the equity shares. The dividend has come to Rs. 66,70,000.

The Indian Airlines Corporation have made a small marginal profit. No doubt, the Indian Airlines have a variety of equipment beginning from DC-3 to Caravelle. It is hoped that in due course these varieties of aircraft will be reduced at least to three. The Government have asked the IAC to purchase Avro-748 and they have decided to purchase Avro-748. Series II.

Shri Birendra Bahadur Singh (Rajnandgaon): When will they be ready?

Shri Mohiuddin: I hope that a few will be available in 1964 and more will be available in 1965 onwards. The cost of operations of the Indian Airlines Corporation is very heavy. From the Annual Report placed on the Table of the House, hon. Members would see that unlike the cost of operations of Air India, the cost of operations of I.A.C. has gone up. I shall not deal any more about these two Corporations. I shall now pass on to other matters.

13.00 hrs.

Mr. Daji mentioned that the investigations of accidents in the air should be undertaken by an authority which is independent of the Transport Ministry. He knows very well that the accidents involving loss of life of passenger aircraft are almost always referred to a tribunal presided over by a retired High Court judge. This is the best independent authority which we can get for investigation of accidents. Of course, he is assisted by assessors who are also sometimes not connected at all with the Airlines about which the accident is being investigated. Now, transferring the authority for investigation, to another Ministry, will involve considerable difficulty because that Ministry will have to depend on the technical personnel to be borrowed from the D.G.C.A. I may mention that minor accidents are investigated by not only the Chief Safety Officer but also by the officers of the Department concerned.

Mr. Daji again mentioned the Walcott affair. Walcott affair unfortunately pops up like King Charle's head on every occasion. Anyhow, I shall not deal with that case because, as I have already informed the House, the whole matter has been referred to a senior officer of the Government for re-investigation and that report will deal fully with all the aspects of that question.

Then, one important point which Mr. Daji raised was about city allowances not being paid to the airport employees who live at the aerodrome and not in the city areas. In some cases it may be so. That is an old problem. I know in 1953-54, the similar case had come up before me in my constituency, that the employees of the Central Government who lived and performed their duties outside city limits did not get the city allowance because their residence was in the so-called rural areas, which were just outside the city limits. Of course, that one problem was solved by extending the area of city limits. I hope, similar difficulties arising at other places will be solved by some means by which the facility will be available to the employees. Anyhow, a large number of airports are within the city limits and their employees get the city allowance.

An hon. Member said that the fire fighting equipment is very poor

[Shri Mohiuddin]

Though there have been two or three fires in Bombay, our fire fighting equipment as well as fire fighting service is quite efficient. Unfortunately, those cases where the fire fighting has rendered good service in saving an aircraft do not usually come to the notice of the public. Only those cases come to the notice of the public where they have not been able to save the aircraft. Anyhow, our fire fighting equipment in Bombay where these accidents took place is nearly upto the ICAO standards and we have already obtained the sanction and the foreign exchange from the Finance Ministry for importing more and better equipment. I hope it will be available very soon.

The question has also been raised about the landing facilities and terminal buildings. The landing facilities include the runway. Now that we are using heavier aircraft of the Fokker type or the 748 type, even the Dakota, runways will have to be strengthened and lengthened. It is a heavy programme and we hope that this programme will be carried out as early as possible. The necessary lengthening and strenthening of those airports where the Caravelles or the jet planes of the 707 type land has already been carried out. There are some more where we have to carry out further improvements. The improvements in the landing facilities are being constantly watched. We have considerably improved the modern navigational aids at all the international airports as well as the other important airports. I need hardly give all the details as the hon. Members may not be interested in all those details. But I would like to say that Shri Brij Rai Singh perhaps mentioned that the I.L.S. equipment or the automatic landing equipment does not operate all the 24 hours. Perhaps, he referred to Bombay. I may say that that information is not correct. The I.L.S. and other equipment and landing aids operate all the 24 hours. As hon. Member perhaps knows, at international airports, mostly the foreign airlines and Indian international airlines operate during the night. We have a heavy programme of improving the navigational aids. The most important is the introduction of what are called 'airways'. So far, we have not had the airways in which the movement of the aircraft is controlled from ground all throughout its route. The expenditure involved, especially in foreign exchange, in establishing these airways is very heavy. I hope that we shall, however, be able to get this equipment although it involves very heavy expenditure in foreign exchange.

13.11 hrs.

[Shrimati Renu Chakravartty *in the Chair*]

The terminal buildings are a very costly affair. Still, in spite of the limited resources, the terminal building at Calcutta is under construction. Of course, I do admit that the present terminal building at Calcutta is not a creditable building for an important international airport like Calcutta.

Shri C. K. Bhattacharyya (Raiganj): It is perhaps the oldest in India.

Shri Mohiuddin: I am sure that the oldest building will be replaced by a modern and well-equipped building very soon. It is already under construction.

Shri C. K. Bhattacharyya: We are thankful to the hon. Minister for that.

An Hon. Member: What about the one at Bombay?

Shri Mohiuddin: The Bombay terminal building is being expanded for the purpose of accommodating increased traffic. We have also got under active consideration the construction of a terminal building at

Delhi. The architectural side of it is under active consideration, and I hope that it will be possible to take up the construction of that building very soon. The Delhi terminal building is also not very creditable especially for the capital of India.

The question of facilities for employees to live in the airport area has also been referred to, because there are no retiring rooms at the airports for the employees. I do realise that these facilities, especially for the officers who have to perform their night-duty are necessary. In this respect, we are trying to extend the facilities by the construction of residential accommodation in the airport area; and, wherever necessary we are also considering whether it is possible to have a few retiring rooms for especially those officers who have to perform their night-duties.

The employees of the IAC have also to be provided with accommodation. In the Third Five Year Plan, a sum of Rs. 200 lakhs was provided for the IAC. Unfortunately, on account of some difficulties, they have not been able yet to take up the construction. The construction of accommodation for their employees is under their active consideration, and I am informed that by the end of the Third Five Year Plan they will be able to spend only about Rs. 1 crore out of the sum of Rs. 2 crores provided for the Third Plan period.

Shri Brij Raj Singh-Kotah had mentioned that Banihal Pass had not got the facilities for weather reporting. I may inform him that there are two stations for reporting on weather conditions, near Banihal Pass, and they do report about the weather conditions, and they were established not recently but in 1954-55 and 1955-56. But sometimes it does happen that the aircraft that takes off from Delhi has to return, but that is not due to the fact that there are no meteorological reporting stations at these places. there are two reporting stations near Banihal Pass, but it may happen, however, and it does happen sometimes, that even after the report has been received to the effect that the conditions are fliable, the weather may sudendly change by the time the aircraft reaches Banihal Pass, and when that happens, the aircraft, especially of the Dakota type, has got to come back.

I may add that the Meteorological Department is doing very good work. As has been suggested by one hon. Member in his cut motion, the present service has to be improved. I assure my hon. friend that the services are being improved very rapidly. My hon. friend knows that the Meteorological Department has established with the help of the U.N. Special Fund and Institute of Tropical Meteorology at Poona. There is no institute for research on tropical meterology in South Asia. More than half the earth's surface is covered by tropical areas. So, the importance of tropical meteorology is very great. With the help of the U.N. Special Fund, the Meteorological Department has established an institute at Poona which has undertaken research on short and medium range forecasting, climatology and hydro-meteorology and in course of time, they will also take up research in other subjects of importance for this area.

The other important progress that we have got to make is regarding seismological organisation. We have got now about 14 seismological observatories spread all over the country. By the end of the Third Plan, the number is expected to go up to 20 and the coverage will be increased further later on. It is expected that fundamental research in seismology, especially classification of causes and mechanisms of Indian earthquake, study of earth crust in which most of the earthquakes originate, seismic waves and so on will be taken up if and when this unit for research is established. I hope it will be established very soon.

[Shri Mohiuddin]

I have covered almost all the points and those which I have not touched upon will be gone into by my senior colleague.

Mr. Chairman: Shri Dasappa.

Shri Jashvant Mehta: On a point of clarification.

Mr. Chairman: Later.

Shri Basappa (Tiptur): Much has been said in this House regarding shipping, civil aviation, road transport and other subjects.

13.21 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

On this occasion, I would like to say a few words about the development of tourism in the country. Of course, casual references have been made to this subject yesterday. Shri Daji referred to it and said that even foreign capital is going to be imported to start hotels and other things. Instead of doing that, had he stressed the importance of development of tourism and how to improve it, I would have been very glad. On the other hand, his criticism was not of much use or benefit for the development of tourism.

The importance of tourism, the value attaching to it and the nation-wide interest it should evoke has not been sufficiently highlighted in the House. Many people have thought that this industry can be developed to such an extent that even a revenue of Rs. 100 crores in foreign exchange will not be much. When that should be our aim, what we are now earning is only Rs. 18 crores.

This country possesses considerable potential for tourism. Apart from the foreign exchange receipts on this account, the international understanding it promotes and the employment potential that it provides are very great. Also within this vast country itself it is necessary that people from one part should go to other parts to promote national integration. These are the values to be attached. The potential is also very big.

We have a wide range of attractions, Ellora, Ajanta, Mahabalipuram, Taj Mahal and so many others. Apart from these, we have nature-given spots of tourist interest, religious centres, places of historical and geographical importance, cultural centres and so on. All these help in the development of tourism. Then there is wild life. You come from that part of the country, Bandipur in Mysore. There is a game sanctuary there. There are water falls like Gersoppa and hill stations. All these will attract tourists in a larger measure.

In the context of all these potentialities, what is our performance? The Minister has also expressed many a time that when the general average improvement of tourism in all other countries is 13 per cent and more, we have declined. Why should it be so? I am told a country like Italy earns Rs. 359 crores as against our income of Rs. 18 crores in this field. Even of the little amount set apart in the Plan, of Rs. 8 crores, Rs. 3½ crores for Central investment and Rs. 4½ crores for investment by State, 25 per cent has not been spent. Why is this so? We must inquire into this matter.

A committee was appointed. It had given its report. It is worthwhile for Government to consider all its recommendations and to see how best they could be immediately implemented.

The most important thing—apart from allotment of more money and spending of the whole amount properly—is the need for greater decentralisation. If the Centre assumes all charge and the Central PWD starts work on all the buildings in different parts of the country, it will take a long time. We must have a master plan as suggested by the Jha Committee, because we cannot ramble about in the development of all centres all of

a sudden. A few places have to be selected and we must concentrate our resources on them.

Establishment of big hotels is a very important factor in the development of tourism. If foreign capital is available for that, we need not grudge its coming. I do not know why the Communist Member was so averse to this. Unless we have first-class hotels we cannot attract foreign tourists. Transport is another difficulty. Our publicity is also very poor. More offices will have to be opened in U.S. and other places. More than all this is the proper treatment of the tourists who come. It has been said that the foreign tourist is squeezed. When he goes back, he does not carry with him a good impression. This has to be rectified by the Ministry.

Coming to my own State I have already spoken about Bandipur. I would like to say that Sharavati should also be improved. There should be a good airstrip near Hasan so that people may go and visit Hasan. Hasan and Mangalore should also be developed.

There are certain zonal committees to be formed. I do not know why in the zonal councils of the All India Tourist Development Council, there is no representation of MPs. There are six of them so far as that area is concerned. Any one of them may be taken on the council. I do not know why this has not been thought of and why only officers and a few others are there. I hope the Minister would look into the matter.

Again, very important persons who were working in this department have been transferred to other departments. People who have done very good work in the Rate Structure Committee, in the Classification of Hotels Committee and so on whose reports have been found to be very useful, have been sent away from this department—I do not know for what reason. The Minister must investigate this matter. People who have rendered good service should be brought back.

One word about road development. When in other countries like U.K., road transport is to the extent of 69 per cent., in India it is only 16 per cent. That shows that the importance of road transport has not been realised. This has to be looked into. We are happy to know that in the reappraisal, the amount has been enhanced.

As regards ore roads in Mysore State, there was a proposal for allotment of a sum of Rs. 4½ crores. But what has happened is this. When it was referred to the Minister of International Trade, he said something. Then it was referred to some other Ministry. Again it had gone to the Planning Minister. Then it has gone to the Finance Minister. But nothing has been done. These ore roads are very important in the context of the need for foreign exchange. Therefore, something should be done to expedite the matter.

Again, the conversion of State roads into Highways is also very necessary. There is a road from Bangalore to Mangalore and one from Bangalore to Ooty. The linking of the national highways from Goa to Dharwar and from Goa to Belgaum has to be taken up, as these two are very important highways. The importance of inter-State roads need not be emphasized very much. We have taken up in my State seven roads and eight bridges. Sufficient amount must be forthcoming from the Centre so that we may develop these things.

Mr. Deputy-Speaker: Shri Sreekantan Nair. I would request the hon. Members to take ten minutes each.

Shri S. M. Banerjee (Kanpur): When is the Minister going to reply?

Mr. Deputy-Speaker: At 2 o'clock.

[Shri N. Sreekantan Nair]

Shri N. Sreekantan Nair (Quilon): As the Minister took charge only in middle of 1963, he may take shelter under it and say that he is not responsible for the working of the Ministry throughout the year. Therefore, I am discussing matters with an eye on getting future attention and future correctives on those points which arise.

The first point that I wish to stress is that the Government should give top priority to implementation of the recommendations of the Transport Development Council regarding the development of inland water transport. Chapter VI of the report is a meagre one-page note dealing with only the Ganges and Brahmaputra water transport. The rest of India is left out completely. There are vast regions in the coastal districts of India which can be covered by water transport, and it will be really cheap. In Kerala a large network of inland waterways was in existence for more than hundred years ago. About 20,000 boats used to employ four to five men per boat, giving work and livelihood to nearly one lakh of people, and they had been carrying on this trade for more than a century. The backbone of this network was the countrycraft. Now this countrycraft is being eaten up in severe competition. The phenomenon of the sails of the countrycraft being filled by the soft winds of the Kerala coast, sailing in the azure waters of the lakes and canals there, is now dying out because there is competition from roads on the one side and on the other side from motor tugs that have come into the field on a larger scale. Therefore, the Transport Ministry must evolve a scheme along with the State Government by which these countrycraft can be mechanised under some co-operative system and made to do the jobs they were till now doing and continue to support so many families.

The second point I wish to stress is the creation of a Central fund as has been suggested by the Motor Vehicles Committee. Accidents occur and there is nobody responsible. There is third party insurance in my own State, but it is bogus. They do not do anything, they only collect the money. So, a Central fund must be instituted, so that the poor victims of accidents may get some relief at least from the Central Government.

The third point I wish to stress is the necessity of making Delhi Transport a viable undertaking, a useful undertaking, a regular undertaking and an efficient undertaking. I need not say anything more on this. I hope that all sections of the House will agree and be prepared to grant any amount of money to see that the Delhi Transport Undertaking in the Capital is made more efficient.

Then I come to the question of ports. About Rs. 60 crores have already been allotted for the major ports—Haldia, Tuticorin and Mangalore. The Marmagao scheme is now on the anvil. In this connection, Government should bear in mind the recommendations of the National Harbour Board which lays down two things: firstly, the growing number of large-sized vessels entering the trade, and secondly, the need for modernising and mechanising the handling of the loads. Hence, the scheme for development of major ports must, from its very inception, take into consideration bigger vessels coming in and also the mechanising and modernising of cargo handling devices.

But the most important recommendation of the National Harbour Board is:

> "With a view to helping the growth of Indian economy on a planned basis, attention should be paid to further development of the intermediate and minor ports."

For that they have suggested two measures. One is the improvement of selected minor ports for the alongside berthing of small vessels. The

second mechanising the small vessels or making of new mechanised vessels to carry on the coastal trade. These two suggestions are very important, and the minor and intermediate ports do serve a large section of the country which is compartively backward. So, it has got to be given greater atention than it has received till now.

Now I come to the welfare schemes in the ports. A sum of Rs. 13 lakhs has been allotted to Bombay port and Rs. 34:85 lakhs to Calcutta port, but all the other major ports go without any reckoning. Some mention of welfare schemes here and there has been made. I would request the hon. Minister that a very definite, well-defined welfare scheme should be enunciated by the Ministry and must be enforced in every major port on the basis of the employees engaged therein and the tonnage handled by the port. Otherwise, it would be unfair, and a man with a better sense of social justice in a port will be able to do things while others may ignore it.

Coming to the shipyard, I do not say anything against it, but it is a sorry picture. We are giving 19 per cent subsidy and then getting a small sum of Rs. 37,000 as profit. It is a book profit and has no meaning. Why should we show such a profit when there is actually no profit? I do not understand this attitude.

Anyhow, the question of the second shipyard in Cochin has assumed much greater importance in the light of the running of the Hindustan Shipyard. Here, as my hon. friend Shri Raghunath Singh pointed out, the Ministry has not taken the House into confidence and stated that it has reached a stalemate. On the other hand, a rosy picture is presented. Everybody knows and this House knows that because of certain negotiations and some rubs with the P. & T. Department, and because they felt that they were insulted and snubbed, the Mitsubishi group has backed out. I want an assurance from the hon. Minister that everything will be done to see that they are brought back, and the contract is signed in the nearest future.

Coming to the question of air corporations, Air India is doing fairly well, and the directors and employees deserve the thanks and gratitude of the House. But coming to Indian Airlines, many points have been made here. The profit earned by Indian Airlines is less than one per cent, and it is not certainly commendable. What is it due to? I think it is mainly due to the defect of the department itself. At page 51 of the Report it is stated that one Skymaster aircraft which was destroyed in a fire in Calcutta on 3.5.1963 was written off. Was it not insured? I want every one of our aircraft to be insured. Not only that. I want every flight to be insured. When there are accidents, the poor people who suffer or their relatives must get some relief from the Government of India. It is a nationalised concern. When people die, their dependants are left destitute, they feel so sore against the Government.

Something was said about the Caravelle service. You know with what great difficulty we got a connection from Trivandrum to Bombay, after a lot of representation. But a passenger from Cochin who goes to Madras finds that the Caravelle service to Delhi has already left, and he has to say there for a day. So far as the people starting from Delhi to Trivandrum are concerned, thanks to the intelligence of the department, there is no connection at all in Madras. This is the method of timing, and my hon. friend the Maharaja was, complaining that the Caravelle Service did not attract sufficient passengers. It is the department that does not want the passengers to come. That is all I have got to say about it.

The foreign tourists are not getting proper treatment at the hands of the

[Shri N. Sreekantan Nair]

employees, I am sorry to say that. The air hostesses and the other officials must be directed to pay greater attention to them; they must be given all information required. I request the hon. Minister to see that the Tea Board and the Coffee Board establish their counters in all the airports because coffee or tea served at these airports is a disgrace to India's products. It brings disgrace on the major export items of India, such as coffee and tea. I, therefore, suggest that these Boards may be asked to establish their branches at major airports.

Mr. Deputy-Speaker: Deo Bhanj.

Shri Birendra Bahadur Singh: I have been standing up for two days; yet I did not get a chance.

Shri P. C. Deo Bhanj (Bhubaneswar): Mr. Deputy-Speaker, while I rise to support the demands of this Ministry, I cannot help observing that the Ministry of Transport has exploded the myth that public sector undertakings are generally dismal failures. This is proved beyond any shadow of doubt by the very act that the two air corporations—Air India and Indian Airlines Corporation—have shown remarkable profits over a range of years.

Air India with its tiny fleet of six Boeings has linked our country with the rest of world in a comfortable and efficient manner. It has also earned a name for itself as a first class airline and can well be compared with any other international airline. It is also noted for its record in punctuality. From the report of the Ministry, I find that a cheque of nearly Rs. 7 million was presented by the Chairman, Mr. J. R. D. Tata to the Minister of Transport as dividend for the year 1962-63. Therefore, it shall not be out of place if I pay here a special tribute to Mr J. R. D. Tata under whose able chairmanship Air India has flourished so well. It just goes to prove that if there are proper men at the top, even public sector enterprises can be really enterprising.

Turning now to Indian Airlines, I find that there too a profit of nearly three million rupees has been made for four years in succession. But I find that the IAC planes are running late, which was a malady found in respect of trains alone. Now that it has crept into the IAC also, the Ministry should give serious thought to it and probe into the matter to find out the root cause of this frequent late flying of planes. The food served by IAC on the trunk routes is tolerable, but outside these trunk routes, it is not worth its name. The Ministry should ensure that uniformly good food is served in all the routes.

In answer to a question, I came to know that the proposal to introduce Fokker Friendship service between Calcutta and Bhubaneswar and its extension to Vizagapatam was in the offing. But on account of the night airmail Viscount crash, the schedule had to be recast. Now that Caravelles have been put on the main routes, the position should have eased sufficiently and I hope the IAC would give us this service from Calcutta to Vizagapatam *via* Bhubaneswar. This will go a long way in helping passengers belonging to the eastern region of India.

I now come to the Vizagapatam port which has become more important lately. It handles quite a lot of iron ore from Madhya Pradesh and Orissa and also finished steel of Bhilai and Rourkela and also all the crude oil that comes into the Caltex refinery from various oil fields in tankers. The report says that four additional berths are being built to handle this additional cargo and a mechanical plant is being installed to handle iron ore which is expected to be completed by October next year.

While I speak of the Visakapatnam port in my neighbouring State of

Andhra Pradesh, let me also say something about the port that is being built in my own State—Paradip. The hinterland of Paradip is righ in minerals and includes not only Orissa but also large parts of South Bihar and eastern Madhya Pradesh. It has iron ore deposits of about 10,000 million tons, vast deposits of managanese ore, about 40,000 million tons of coal and other minerals like dolomite, limestone, chromite, etc. All this wealth is lying dormant and needs opening up. The completion of the Paradip port apart from the export of iron ore, will give incalculable impetus to the development of industry and trade. Once the hinterland is opened up, the Paradip port is bound to grow in size as it offers the most natural outlet for the export and import trade. Paradip, therefore, promises a hope for the future generation of the country and particularly for Orissa which is very under-developed. It is one of the major steps of the State Government to build up the future.

The Orissa State Government has taken up the construction of the Paradip port in the Third Plan at a cost of about Rs. 22 crores as a high priority project. Paradip has all the natural advantages of a deep sea port. The progress going on there is excellent and has been well appreciated by all those from outside and inside the State who have visited the port. The target fixed for the time-being is to build up facilities to handle 2-3 million tons of traffic mainly in iron ore by October next year. The Government of Orissa are racing against time to complete the construction. The main items of work to be completed by next year are construction of breakwater dredging of approach channel, entrance channel, construction of one iron ore berth and the installation of necessary ore handling equipment capable of loading 2500 tons per hour. Only the other day the dredging operation which is being done through Yugoslav collaboration was inaugurated by the Chairman of the Orissa State Planning Board and the Yugoslav Ambassador. For the information of this hon. House I may mention that this eventful occasion was attended by nearly all the members of the Orissa State Legislature including the leader of the opposition who himself spoke in praise of this project and supported it. From what I gather, this port shall be commissioned in October, 1965. It will be the most up-to-date port with most efficient and mechanised operations. The only difficulty that the State Government are facing is in the procurement of some construction materials and equipment such as dredgers, cranes, etc. I hope the Central Government shall give all the necessary help in procuring these items from outside.

I would just take one more minute and that is for tourism. The foreign tourist who comes to India, comes to see just a few set places in the country. Apart from that, he has no other place in mind. Therefore, I would suggest that a Committee may be set up which will tour the length and breadth of the country and discover for us other places of tourist interest where the tourist could spend some more time in our country and thereby give us some more of foreign exchange. I hope the hon. Minister will consider this point seriously and set up such a Committee.

Shrimati Renu Chakravartty (Barrackpore): Mr. Deputy-Speaker, Sir, As I have only ten minutes, I shall just touch on some important points. Civil aviation is one of the most important wings of defence, besides our Defence Ministry. I would like to know what we are doing about these non-scheduled operators. It is a point which I have been raising again and again here, but unfortunately, as long as we have Shri Mohiuddin I do not think I am going to get a proper answer to that, and I hope that Shri Raj Bahadur will answer it. I know that Indamer or Salkemer has now got permission, which was held up all this

[Shrimati Renu Chakravartty]

time, for flying to Agartala on the eastern route. My point is this: the reason why people want a non-scheduled operator is that our Indian Airlines Corporation is not yet able to find a solution to the difficulties of the eastern zone, where, after partition, the people have suffered tremendously for lack of direct communication. If one wants to go to North Bengal or to Agartala and to Assam, one thinks a hundred times, because, it is not a question of money but it is a question of undergoing tremendous difficulties. I am sure Shri Raj Bahadur will appreciate what I am saying. To go by train to Assam or even to North Bengal, to Balurghat or Malda, involves tremendous difficulties. Of course, Agartala is practically an island, to which we have no transport communication except by air. Therefore, I want to know why the IAC does not fly to these places, at subsidised rates, the janata services for the eastern sector of the country. We cannot go by train. That is our difficulty. We are always told that the non-scheduled operators are absolutely bad operators. But sometimes we have to take to these services because if I have to go to Balurghat I have to resort to these non-scheduled services, since there is no other go. Sometimes, of course, we are frightened since there is no proper timing for these services, the planes are in ram-shackle condition, yet we have to go by air by non-scheduled services. So, I plead again that the Government must have a cheap air fare and cheap service for the eastern sector, because there is no other means of communication over there.

Then I refer to the Calcutta-Delhi Viscount service, especially the evening flight, wherein there is so much of delay. Of course, the hon Minister may give so many statistics and prove that what I say is wrong, but so many of us can show to the Minister the amount of delay involved. At Dum Dum we are told generally that the flight is not going to take place for an hour and a half and we reach here many hours behind schedule. Sometimes, we arrive at Delhi at 1 o'clock in the night. What is the use of flying by spending so much money? I request that something must be done to rectify this.

Then I refer to the terminal building. I have raised this point so many times. Just now the hon. Deputy Minister also replied. Calcutta is the most important airport from the point of view of passenger traffic that is handled there. That terminal building, in Dehradun about which we have been hearing like Alladin's Fairy Land, does not seem to fructify. I would like to know what has been done about it.

I then come to the question of labour. Some points have already been answered by the hon. Minister. I feel that there are certain matters which I have been urging for many years, and they relate to housing schemes in the aerodromes in the eastern sector. It is now slightly better than what it used to be before, especially in Mohanbari, Kumbhirgram, and other areas. But then, what about water supply? It is very bad. Sometimes, even in such places where we do not have the normal scheduled operations like Chakulia, the situation in regard to water supply is very bad. If there is an emergency landing, and if anybody were to ask for water, we could not give him even a glass of water

Let us take the provision of transport for the schoolgoing children of employees When Shri Jagjivan Ram was the Minister and even earlier, we have been urging that this facility is lacking in so many places like Amritsar, Mohanbari, Kumbhirgram, etc. and that something should be done in this regard The Minister has promised that the children of the staff would get transport, but up to date, it is being considered and considered, and nothing is being done.

With regard to the question of chowkidars, formerly they were working round the clock for 72 hours. Now, two categories "intermittent" and "continuous" have been made. The intermittent is 75 hours and continuous is 54 hours. We are told that the intermittent chowkidars are being asked to do 12 hours duty a day as in the case of the railways. But in the case of the railway chowkidars, we know that the chowkidar lives in the same place at the gate. It is not a question of going very far. But as far as the chowkidars in the Civil Aviation Department are concerned, they are in spots which are far out. For example; duty spots like outer marker, locator, etc., are far away. and the chowkidars have to be on duty for 12 hours at a stretch. This question should be considered and the duty hours of such chowkidars should be reduced.

Regarding the low-paid non-gazetted staff, I would like to urge that their case should be considered sympathetically For instance, take the Civil Aviation Training Centre in Allahabad. Many employees like radio operators are sent out on training; they have to keep two establishments going. Under the rules they are entitled to a daily allowance which is being paid in other departments, but when the civil aviation staff goes for training, this is not being paid. I think this matter should be considered.

Then, regarding the revision of pay-scales for drivers and telephone operators—I have raised it earlier—the Posts and Telegraphs Department has already put it into effect. The Pay Commission had recommended these scales, but they have not been put into effect in this department.

Then, about the revision of overtime allowance, my hon. friend Shri Daji had made some points. Actually, a chowkidar doing 12 hours overtime duty is paid Rs. 1.25 nP, which works out to just 10 nP. an hour. Even a casual labour gets much more than this. This aspect must receive some considereration.

Regarding the forwarding of applications, not only in this department but also in many other departments, normally the applications are forwarded, according to certain orders of the Home Ministry. But as far as the Civil Aviation Department is concerned, under the pretext of emergency, applications are not now forwarded, except in some cases. There should be equal and fair chance given to everybody on the basis of efficiency. Those who are now losing their jobs in respect of the non-scheduled operators should be taken in, but then there can be fair chance for all those who are working within the department to apply also.

Then the question of the stagnation on the maximum of the pay-scales may also be urged. Many have reached the maximum of the scale. Actually, a committee had been appointed in respect of the workshop staff. It had already submitted its report. We do not know what has happened. That matter must also be taken into consideration.

On the question of tourism, I would like to put a question to the Minister in charge of tourism, Shri Raj Bahadur. Why is it that more foreign exchange has been given to Oberoi Hotel than what has been given to Ashoka Hotel? The Minister could well say that that is so. Actually that has been done at the instance of the Director-General and I know that there is very good understanding between the Minister and the Director-General, and we hope that this matter will be adequately explained to us. As a matter of fact we want tourism should progress. Certain points have already been referred to by my hon. friend Shri Daji and in the other House also which, I am sure, the hon. Minister will reply to. I want to know why these things are being permitted.

Regarding the port of Calcutta—in ten minutes obiously I cannot say

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anything, but with one more sentence, I will be done—I should like to say this. Although we are hearing that Haldia is coming up, I should like to know how far we shall be able to say that the Calcutta port is safe and how far Farakka is really going to flush out the silting up of the bed of our river. Calcutta is Calcutta after all, and even with Haldia we will not be able to save Calcutta, unless the Calcutta port is saved. In the early years of Farakha everything had been held up because of our relations with Pakistan, and Pakistan was not agreeing to our proposals, etc. What is the position now? I would like the Minister to make this clear, because this is a most vital question for the biggest and most populated city in India, namely, Calcutta.

14.00 hrs.

Mr. Deputy-Speaker: Shri Raj Bahadur.

Shri P. R. Patel (Patan): Gujarat is part of the country and no Member from Gujarat has spoken on these Demands. Am I to understand that Gujarat has nothing to say?

Shri M. R. Masani (Rajkot): I have spoken for Gujarat. (*Interruptions*).

Mr. Deputy-Speaker: Within the time allotted, I am trying to accommodate as many Members as possible.

Shri Koya (Kozhikode): May I know why certain groups have not been given opportunity to speak in this budget session?

Shri Birendra Bahadur Singh (Rajnandgaon): This is most unfair that Madhya Pradesh has not been given a chance to speak on these Demands.

Shri P. R. Patel: The same speakers are called upon again and again.

Mr. Deputy-Speaker: Members must take their chances. I am trying to accommodate as many as possible within the time allotted.

Shri P. R. Patel: Nobody from the Congress has spoken for Gujarat.

Mr. Deputy-Speaker: Order, order. We cannot have a discussion on this.

Shri Thirumala Rao (Kakinada): You should see whether all the States which are closely interested in shipping and other matters get some time at least once a year to have their say. It is for you to see whether certain States are over-represented and a number of speakers from every party speak on the same topic.

Mr. Deputy-Speaker: All the States as far as possible have to be given chance. There are 16 States and centrally administered areas also. All of them cannot get chance.

Shri Radhelal Vyas (Ujjain): Gujarat is on the sea-coast, Sir.

Shri S. M. Banerjee: They are going out. It is an aspersion on the Chair.

Shri Raj Bahadur: Sir, I must express my thanks to the Members who have taken part in this debate and for the criticisms that they have offered. I know that the time for the debate on the demands of this Ministry was limited to 5 hours and many more Members would have liked to speak. When the Business Advisory Committee dedcided to allot 5 hours, I was myself wondering that only 5 hours have been allotted and they may not be sufficient. But the lack of quorum yesterday for once showed to me that perhaps there is very little to talk about this Ministry and Members seem to be quite satisfied with our performance.

Shrimati Renu Chakravartty: No.

Shri Raj Bahadur: I would like straightway to turn to the points that have been made, because I must economise on time. To begin with, I must take up the subject which the hon.

Member who opened the debate took up, namely, roads and road transport. Roads and road transport are closest to his heart..

Shri M. R. Masani: And yours also.

Shri Raj Bahadur: Yes, to mine also. He has made a considerable study and I have always held in great respect the observations that he always makes about them. Sometimes, I may not agree with him, but that is for genuine and honest reasons. He has said that some sort of complacency, which is not justified, seems to be apparent to him from the facts and figures that we have given in our report. He forecast that transport shortage might be six times worse or more serious than it was in 1961. He has said that road allocations that have been made are very meagre as against the recommendation of the Indian Road Congress, which demanded Rs. 590 crores and for the third Plan, we got only Rs. 416 crores In fact, may I correct him that we got only Rs. 324 crores to begin with and then it was raised to Rs. 416 crores. He says the tempo of the work also is not good. That particular thing was also mentioned by another Member of Mrs. Renu Chakravartty's party who said there have been short-falls and we have not been able to utilise the road allocations. That surprised me. May I say how things stand?

So far as utilisation of allocations is concerned, let it be realised that till as late as 1960-61, the annual expenditure on National Highways was only of the order of about Rs. 10 crores. In 1962-63 it rose to Rs. 17.42 crores. In 1963-64, the revised estimates showed that we spent as much as Rs. 34:38 crores over National Highways alone. This particular figure has to be viewed against the background that initially only Rs. 48 crores was allotted for National Highways for the entire plan period and we have spent Rs 34:30 crores in one year. It is a record in the history of National Highways. The observation made by my friend. Shri Daji, has to be judged against this particular background. So far as allocations are concerned, of course it was Rs. 324 crores to begin with and it rose to Rs. 416 crores subsequently. Apart from that, we have to take into account the huge amount of money that is being spent on border roads. I might also say that as need and opportunity arise, we are trying to spare more funds and I will show later on how we are doing that.

The highlight of the year, however, would be the very remarkable performance by our road engineers and road workers and that is the construction of a stretch of 102 miles of road from Barauni to Phulberia—a missing link on National Highway No. 31, which has been completed to a two-lane standard in a record time of one year, with the strengthening of bridges all through to class 70 standard.

I would like to point out now a few facts about road transport, to which my friend gave a good deal of attention. He said that the automobile production target of 60,000 has been revised to 54,000, whereas in 1960 the figure of production was 27,100 and at least 6400 vehicles should have been added every year. He said, we have performed very badly and we are only lingering at 28,481 in 1963. May I point out the facts? We have to view the automobile production against the background of allocations and foreign exchange made for the industry. Even there, we have to see that whatever is allocated is properly utilised and the best effort that our manufacturers could put up in this direction was to increase the quantum of indigenous parts. That is where I think they have performed very well. The Leylands, for example, have gone from 38.5 per cent in 1959-60 to 76 per cent. Bedford have gone up from 46 to 60.9 per cent; Dodge from 68 to 79.85 per cent and Tata Mercedes-Benz from 64 to 77 per cent. It is wellknown that if we manufacture the parts ourselves and not merely assemble motor parts, the production

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of automoiles will not be that much as when we simply assemble them.

Shri Iqbal Singh (Ferozepur): What about the price?

Shri Raj Bahadur: That will be beside the point that I am trying to make out. The total population of goods and passenger vehicles—I mean commercial vehicles—in 1950-51 was 116,411. In 1962-63, it rose to 268,000, which is more than twice and by 31st March, 1966 it is expected to go up to 360,000, which means that we would have nearly trebled that particular figure that we had in 1950-51.

What is the performance so far as the various companies are concerned. I will not go into the details, but I will give only the total. In 1964 we hope to manufacture 35,000, in 1965—42,250 and in 1966—54,500. This is also to be judged against the fact that the licensing capacity has been increased considerably. The licensing capacity as it has been increased comes to 61,800 including two new ventures which are: the Simpsons—1200 and the Beaver—heavy vehicles 2000. So we can appreciate that with this capacity if the target as now revised can be achieved it should be considered to be quite an achievement.

The next point that he made was that against the estimate, which he quoted, of 16 million tons to be lifted by road transport, the number of permits that has been given by Inter-State Transport Commission is piteously small. It is only 440, he said, which is too small a number and this cannot be justified on the basis of 3000 vehicles per million tons, which requires 48,000 permits for 16 million tons. But I would like to tell him that the Inter-State Transport Commission is not the only authority that recommends inter-State permits. In fact, for the first time we have decided that so many permits should be given on certain very very long distance routes connecting Calcutta, Bombay, Delhi and other places. I will not go into those details. The total number of inter-State regular permits even today is 16,449. If we add to this the average number of temporary permits as on 1st April, 1962, which was 19,092, the total comes to 35,541 against the 48,000 that he recommended. Let him also remember that from the present number of 2,68,000, the target that has been fixed for the end of the Plan period for automabile production is 3,60,000 and thus there will be an increase of 92,000 vehicles. All these 92,000 vehicles will have to be given permits—all of them may not go for long distance traffic; some may go for long distance traffic and some may go for short distances, but the overall transport capacity that our road transport industry needs will be built up.

Let it be realised that this is being done in the face of great difficulty in regard to the availability of foreign exchange. Expansion of road transport, my hon. friend will definitely concede and the House will also appreciate, depends on two factors. The first one is, how far and how best we are able to expand, improve and strengthen our road system. The second is, how far and how best we are able to expand our automobile production. These are the two factors on which the entire thing depends. It has to be recognised that with all the shortcomings, with the short allocations about which he has been complaining—and to a certain extent I also feel that the allocations have been rather poor, they have been meagre and it is not that I do not have that feeling—the road transport industry has been able to carry on and has been able to meet the country's requirements. For that, the transport operators and all concerned in the field have to be thanked and congratulated.

So far as the question of taxation is concerned—I know that Shri Masani is leaving for some of his party work and therefore I will take his points first—he knows very well that we have

tried to limit it and tried to guide the State Governments in this behalf as best as we can. He asked why we were not coming forward with the piece of legislation which he recommended. We were not oblivious to that recommendation. We did take into account that recommendation. We studied it thoroughly, as thoroughly as we could, and we found that we could not fix ceilings. And, mere principles would not carry us any further. Therefore, we have to confine ourselves to persuading the State Governments concerned to agree to some sort of well-defined principles about taxation. He knows very well that this year we have not had any new taxation measures, the imposing of new taxes on motor vehicles or motor transport, neither by the Centre nor by the State Governments. This leads us to the conclusion that this realisation has been made of the urgent need to give some sort of protection to this industry. I think that has been done.

Coming back to roads, may I just state a few facts which are of great importance? A remarkable thing that has been achieved by the engineers and workers is the construction of five big bridges on what is known as the North Trunk Road in Assam including one big bridge on Torsa. I would say that this particular work, also, has been completed in a very limited time of 10 to 12 months which also is a record.

It has been stated that the National Highways have not been fairly treated and we have not looked after them well. But let us remember that when the National Highways system was first created we had as much as 10,000 miles out of a total of 13,800 miles which were really of a very low quality and very low standard. Also, we had a large mileage of missing links. We have practically made up all the missing links excepting 100 miles which we will take in the Fourth Plan. So far as improvement is concerned, we have improved more than 10,000 miles.

So far as bridges are concerned, if we just take into account the bridges costing more than Rs. 5 lakhs, we have already completed 100 bridges out of 215, 59 will be completed by the end of the Third Plan, those on which work will be taken up or is going to be taken up in the Third Plan is 42 and only 14 will remain for us to deal with in the Fourth Plan.

In this connection, may I just make an announcement. Many a time hon. Members have pointed out the necessity of developing the areas along and near the foot of the Himalayas for economic benefit. I am glad to report that a scheme for constructing a high class road from Bareilly in Uttar Pradesh to Amingaon in Assam has recently been approved. The road will run through the States of Uttar Pradesh, Bihar, Bengal and Assam parallel to the Himalayan range. The existing roads will be absorbed in the new road as far as possible and new alignments will be adopted where no roads exist. The work involved is very considerable and may cost Rs. 100 crores out of which Rs. 50 crores are expected to be required for construction of bridges. Being located in terai region which is intercepted by many streams, 23 bridges across big rivers and large number of medium and minor bridges will be required. Every effort will be made to complete this road as soon as possible.

Secondly, with loan assistance from the Central Government to the Rajasthan Government we propose to consider the construction of a 425-mile long road along side the Rajasthan Canal. This is an important need of that area which will develop very fast after the canal is commissioned. Then, for a long time a demand has been made about the east coast road in Madras State extending from Madras to Cape Comorin. We propose to consider that and we would try to have it included in the Fourth Plan. This would connect South Arcot, Tanjavur, Ramanathapuram, Tinneveli etc.

Similarly, a very important demand has been made by the Gujarat Government and the people of Gujarat

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for a coastal road for Gujarat--Katniawar coast. That also we have got in view and we propose to give our best thought to it.

Only one word more about road and road transport, and that is about the need for mechanisation of road construction. We are concentrating our attention on that and we will do our best to see that so far as it lies in our power we would try to acquire this equipment and also try to encourage and promote the industry for the manufacture of this equipment.

There is one point more which I should not miss, and that is about the Inter-State Transport Commission. It was stated that merely a Joint Secretary is at the head of this department and that we should make it more powerful, give it more powers to issue permits. We do not propose to do that, because we think that the present method has worked very well. Through this Inter-State Transport Commission we have achieved two big objects. Firstly, we have been able to persuade the State Governments at least to name the inter-State roads. A complete list in consultation with the State Governments has been formulated. Secondly, we have also persuaded them in making them solve, or come to some sort of agreement or settlement, about the disputes that are there. We do not want to take the power of issuing permits, so far as this Commission is concerned for the present.

A reference was made to Dr. Beeching's report by my hon. friend, Shri Masani, who has just gone away. He has said that they have recommended in U.K. the closing down of half of the railway stations, numbering as many as 4,293, and also cancellation of passenger service. I do not think we can do it in this country, nor would my hon. friend, Shri Masani, like me to recommend that to my colleague, the Railway Minister.

Shri Daji has been very critical about matters relating to the Neogy Committee. Since many hon. Members have spoken about the Neogy Committee, it is up to me to say a few words about that. The Neogy Committee was appointed in 1959. It took well-nigh 18 months to produce a preliminary report. That report was given full consideration, as much as we could . It was a sort of questionnaire and we tried to accommodate it as best as we could. After that, to be can did about if, from March 1962 no meetings were held. When the World Bank Team came, we ensured that there is no overlaping between the functions of the two. That particular point was clarified to both the World Bank team as also the members of the Neogy Committee. Unfortunately, however, we could not make much headway and we found that even for the purpose of the Fourth Plan proposals the recommendations of the Neogy Committee may not be available to us.

Shrimati Renu Chakravartty: Why?

Shri Raj Bahadur: Because the committee was not meeting. The Committee had some sort of genuine objections of its own, perhaps, that the World Bank team has come and it is studying this question. The World Bank Team came specifically to look into the question of coal movement and its sphere of work or functions was distinct from that of the Neogy Committee. At any rate, the fact remains that we thought when the Neogy Committee was first appointed in 1959 that it would enable us soon to have some sort of first principles of the Third Plan on the basis of which railroad co-ordination could be achieved. But we did not get that. However, that was a matter for which we could wait. But, so far as the further progress of this Committee was concerned, for some reason or other, it was not much in evidence.

Shri Daji (Indore): The complaint was that most of the State Governments did not even show the courtesy of replying to questionnaire for more than four years. Is it a fact or not?

Shri Raj Bahadur: Well, the compilation of all the statistics that the

Committee wanted took some time to collect. But it is not a fact that the State Governments were not replying to the letters. Whatever communications or enquiries were made were treated with the utmost respect. I would not like to blame the State Governments for that.

Shri Iqbal Singh: Now some decisions have been taken and their implementation has been delayed for want of receipt of the Neogy Committee report. If that report is delayed by another one or two years, it will be difficult to implement those decisions.

Shrimati Renu Chakravartty: Like the Mahalanobis Committee, in this case also you should hurry up the Neogy Committee to submit its report.

Shri Raj Bahadur: Since Shri Neogy resigned, we had regretfully to accept his resignation. Now the new Chairman, Shri Tarlok Singh, has come.

Shrimati Renu Chakravartty: What were the reasons for his resignation?

Shri Raj Bahadur: He had his own reasons. We tried to persuade him. The main thing was that he wanted more time. He said that he could not finish his work for another five or six months. He also wanted some statistics. Some of the figures were available but some others were not. So, we could not get all the statistics that they required.

Shri S. M. Banerjee: Sir, on a point of clarification. Shri Neogy has resigned. In his letter of resignation it is mentioned that he wanted certain non-officials to be associated with the Committee. It seems that is one of the reasons for his resignation. So, I would suggest to you, Sir, and through you to the House, that the correspondence exchanged between Shri Neogy and the Prime Minister should be laid on the Table of the House so that we may know the real position.

Shri Raj Bahadur: This Committee was appointed by the Planning Commission. I will convey to the Planning Commission and the Minister of Planning the feelings of this House. I do not know what more I can do.

Shri Raghunath Singh (Varanasi): Shri Neogy has also circulated his letter of resignation, a cyclostyled one.

Shri Raj Bahadur: Now I come to tourism. I would like to deal with shipping, which is the most important subject, at the end. So far as tourism is concerned, a complaint has been made that tourist traffic has declined or has not recorded sufficient progress. Since many hon. Members have made that observation, I would like to dispel that particular impression. If we just see Appendix III of the Jha Committee report to know how tourist traffic has expanded in India between the years 1952—61, we will find that the percentage of increase in our cases was as high as 581·9 per cent. This performance was bettered only by four countries. They were Yugoslavia (784 per cent), Finland 751 per cent), Greece (703 per cent) and Puerto Rico (625 per cent). All these countries, let it also be realised, are so close to the areas which generate tourist traffic. We being so far away, the momentum of increase that was generated so far as tourist traffic for India is concerned, was quite considerable and even remarkable.

I agree with the hon. Members that there was a slight decline last year, for which there were certain reasons. But in 1963 we are again looking up and the latest figures are that we had as many as 1,40,821 foreign tourists, excluding 3 lakhs of Pakistanis, visiting our country. The number of tourists from U.S.A. has increased by 17·3 per cent, from Western Europe by 11·6 per cent, from Eastern Europe by 6·6 per cent, from Australia and New Zealand by 49 per cent and from Japan by 16·6 per cent. There has been some decline in the number of tourists from South East Asia and

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West Asia, and that is on account of one special reason. However, so far as high-spending category of tourists from Western Europe and America are concerned, their percentage has increased; and as much as 70 per cent of the tourists that have come to us are from these high-spending countries. The decline in tourist traffic from South East Asia and West Asia is due to the fact that they have also imposed currency restrictions on their nationals. Japan has now lifted all currency controls and we think that there might be an increase in the number of tourists from Japan to our country. Then, we also find that the length of the stay of the tourists in our country has increased, so far as the Americans and West Europeans are concerned. This is a welcome development as that also leads to earning of more foreign exchange.

The Jha Committee was charged with the duty of making recommendations so that we could have expansion of tourist traffic by at least 20 per cent per year. The Committee has submitted a report which has been acknowledged on all hands and by all people concerned as an excellent one. We have already implemented as many as 40 recommendations and I would say that some others are accepted and are in the process of implementation. In regard to a few, I propose to make a few announcements which I would presently read out.

So far as other developments in this particular field are concerned, an important place has to be given to the work of the Hotel Classification Committee. That Committee has completed its work very efficiently. I have got every reason to congratulate the members of the Hotel Classification Committee, including its Chairman for the excellent work they have done. There is no reason to suppose that the Chairman has been shifted from this department for other reasons, incompetency or otherwise. There is a term fixed for every officer and on the expiry of that term he had to be shifted to another department.

Shri Basappa: He has done excellent work. So, why should he be sent to another department?

Shri Raj Bahadur: We shall have him back in case it is necessary. There is no bar on his coming back.

We are also trying to support the hotel industry as best as we can. A remark was made by Shri Daji that even in the case of such a simple matter as running a hotel we are trying to invite foreigners to come and invest. I do not know whether we can call hotel-running a simple affair. Because, it is an extremely technical affair, as we all know. We have to recognise that in, as many as 30 countries in Europe, South America and Asia, they have got hotels built and run by Hiltons or the Inter Continental Hotels (ICH). It has got many advantages. One of the advantages is that it enables us to get a better boost to our tourist traffic, because they have got a chain of hotels all round; so tourist promotion also comes. Secondly, they set the pace for other hoteliers also if we have got a standard hotel in our country. Thirdly, a particular name has gone in the tourist world as a reputable name in hotels, that catches easily. Apart from that, it also affords opportunities for our people to be trained. And that is a thing which we cannot ignore.

A point was made by my hon. friend that some sort of foreign exchange has been allotted as a special case . . .

Shrimati Renu Chakravartty: More foreign exchange.

Shri Raj Bahadur: .... that more foreign exchange has been allotted as a special case to Mr. Oberoi for his hotel in Delhi which stands incomplete for the last four, five years Sir, I am not aware that the Director-General made any special recommen-

dation or that because the Director-General of Tourism happens to be working with me something was done—there was some sort of observation made by my hon. friend. I do not want to take any serious notice of that. But I would say that the plain, open and simple road for this particular concern was to go to the Industrial Finance Corporation. They made their application. The Industrial Finance Corporation examined and scrutinised it thoroughly, and if they came to the conclusion that this particular hotel, on which so much amount has already been spent and it is standing unused; and it is standing unused because it has not been completed. So if they thought that it could be assisted on any suitable and reasonable terms, what was wrong in it? We want to promote the hotel industry on the one hand, and on the other we do not want to make invidious distinctions.

Shrimati Renu Chakravartty: Does the IFC allot foreign exchange, or is it decided by Government according to the money that we have?

Shri Raj Bahadur: I can say that not a naya Paisa—now, not a paisa—more than what is justified on the basis of merits could have been allowed or should have been allowed for foreign exchange. At least I do not come into the picture, nor does, I think, the Director-General so far as the particular recommendation is concerned.

Now, Sir, we had been asked to give our thought to the recommendations of the Jha Committee report, and I would like to say a few words about that, so far as our decisions on important matters are concerned.

It has been decided by Government to set up a Government Corporation so as to undertake several important activities of a commercial nature in the public sector. This Corporation will build hotels, organise transport services for tourists, produce and sell tourist publications, arrange package tours for tourist groups, undertake the building and management of tourist bungalows or small hotels and motels in out-of-the-way places, organise the right type of entertainment for tourists and look after shopping facilities. These are some of the varied activities and it may be necessary that several individual or associate companies may have to be set up for the proper discharge of these functions. This was a longstanding need, and I am glad that we have been able to come to a decision and shortly we hope to set up this Corporation.

It has also been decided to enact legislation to regulate the activities of travel agencies, shikar agencies, tourist guides and for the proper regulation and functioning of the hotel industry in the country.

We shall shortly be setting up a Standing Committee consisting of very senior officials of various Departments and governmental agencies whose functions have a bearing on tourist promotion. This Standing Committee will continuously review the inadequacies in facilities and arrangements, examine complaints received from tourists and take necessary steps to ensure the expeditious promotion of tourism.

It has been decided to set up a Special Fund into which an initial grant of Rs. 1 crore will be paid, to be supplemented from year to year by grants which will not exceed the excise duty collected on aviation fuel and oil purchased by the Indian Airlines Corporation, in order to give subventions to the I.A.C. for tourist services to out-of-the-way places which would not normally be undertaken on purely commercial considerations and also for ancillary purposes like building necessary airstrips near tourist centres which would not have otherwise been constructed by the Civil Aviation Department. I think the creation of this Fund will be a great help both to the I.A.C. and for the promotion of tourist traffic and to meet tourist needs, because

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firstly, we can take certain services which may not be justified on economic grounds but are justified otherwise. For instance, the lady Member opposite was making a reference to certain services in Assam or North Bengal. Such services can be taken care of by this particular Fund. And, secondly, we could also take care of such airstrips which are required for tourist purposes or for connecting more and more places by air services.

It has also been decided that steps should be taken to link a larger number of I.A.C. stations by teleprinter lines, with a view to providing speedier confirmation of bookings.

Urgent steps will be taken for effecting improvements to the terminal buildings at the principal airports in India details about which have been given by my hon. colleague. I may only say that we are trying to expedite the construction of the terminal building at Calcutta. It will really be a building which we could well be proud of. Then, a similar big terminal building is proposed at Palam, and we have taken immediate steps to provide for alterations, additions and modifications in the buildings at Santa Cruz and the existing building at Palam to meet the urgent requirements.

Several relaxations have been made in immigration rules as well as in Customs and import-export regulations for the benefit of the tourists. The possibility of further simplification of certain Customs procedures is also being considered. In order to ensure better treatment of tourists arriving in the country, it has been decided to constitute an Air Customs Pool of officers specially trained to handle the present-day fast-moving traffic. Similarly, the question of creating a Central cadre of immigration staff with special training for handling foreigners is being actively considered.

The All-India Liquor Permit was introduced in November last and is now being issued along with the visas to foreigners coming as temporary visitors to India. A few other relaxations regarding the sale of liquor to tourists on dry days and of allowing hotels in areas where drinking in public is prohibited to have separate rooms where foreigners can be served with drinks along with their meals are also under consideration of the Government.

With a view to step up tourist publicity arrangements, we are going to open two new tourist offices, one in Tokyo and the other in Chicago.

As I have mentioned already in this House in reply to questions, arrangements are in hand for organising what are known as "sound and light spectacles" in India. The first spectacle is expected to be mounted at the Red Fort early next year. The possibility of arranging similar entertainment in other places of tourist interest such as Agra and Jaipur is also being considered. This entertainment will, of course, be popular not only with foreign tourists but even more so with our own people.

Now, I may come to aviation. My friend Mr. Walcott.. (*Laughter*). My friend Mr. Daji....

Shri Tyagi (Dehra Dun): How appropriate!

Shri Raj Bahadur: I would say, my and Mr. Daji's friend Mr. Walcott....

Shri Daji: No, no. Do not include me. I disown him. I do not even know him. I have nothing to do with his misdeeds.

Shri Ram Sewak Yadav (Bara Banki): Your friend, because you allowed him to go.

Shri Raj Bahadur: Had he disowned him, he would not have raised this question over and over again. He

knows very well. He wants to know where the end comes. But he remembers and says over and over again....

Shri Daji: I remember the humiliation that during Emergency a foreigner could go away with his aircraft and then write a book. (*Interruption*).

Shri Raj Bahadur: We are not proud of this incident either. We have never said that we are proud of this incident. It is farthest from our mind. But the question is: are there not people of this type in this world, and if such an incident has occurred, will there be at some time an end to this particular matter or not? I would say what type of man this fellow happens to be and why my hon. friend is so much after him or in pursuit of him. Perhaps to acquire his friendship.

Shri Daji: I again object. He is saying that I am after him for acquiring his friendship.

Shri Raj Bahadur: Not that. However,....

Shrimati Renu Chakravartty: It is very wrong.

Shri Daji: There must be some sense of decency in the discussion.

Shri Raj Bahadur: Of course, I have seen enough of decency yesterday. I would not like....

Shri Daji: I am only asking: who was the officer who was responsible for his escape; have you taken any action against him or not? I did not even implicate....

Shri Raj Bahadur: My friend knows very well that the matter is under investigation. There is a committee. But even without waiting for the results of this committee he is raising the discussion over and over again. The fact of the matter is, they just get one point. They cannot get any substantial point of criticism. They just get one point and try to criticise and beat that point over and over again. Because, if there is any substantial point, I would have seen and I would have known that.

Shrimati Renu Chakravartty: Why don't you give the results of the enquiry?

Shri Raj Bahadur: It is proceeding.

Shri Daji: How long will it take?

Shri Raj Bahadur: I cannot hustle the officer concerned. But I will say what has happened so far as this is concerned.

Dr. M. S. Aney (Nagpur): He need not call him his friend.

Shri Raj Bahadur: I will not call him his friend.... (*Interruption*). I would say about what has appeared about him in the Paris papers and it was earlier referred to in the questions also. Now I have got some details about that particular press report. This particular exploit on his part was not the first one. He stole a plane belonging to an American airline of Florida while it was under police seal at Mulhouse airport in June last year. In our case he committed this particular bravado or offence in October-November, but in June last year he had already done that in France and from Police custody. So, let it not be said that these things can happen only here. Our airport or aerodrome staff, I have said repeatedly, are not security people; they are not in charge of the police arrangements and much should not be made out of this particular incident.

Then what happened further to this? The French police sealed the plane when Walcott and his co-pilot landed at Mulhouse on a flight from Frankfurt. The two men escaped from the airport but reappeared the next day posing as German mechanics under instruction to repair the plane and persuaded the police to let them attend to the engine. Once inside the

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cockpit they made a getaway. The plane was subsequently reported in London and Brussels a fortnight later.

If Mr. Walcott has written a book, that is all right. If my hon. friend also wants to write a book on Walcott, all the material that I have I will supply him.

Dr. M. S. Aney: He can give him all that material.

Shri Raj Bahadur: I will give it to him. But let us know how many times the Government can be asked to reply to the same question over and over again knowing very well that all that has happened—we are not proud of it—was almost beyond our control.

Certain points had been raised in regard to the employees' demands so far as they relate to the Civil Aviation Department employees. They have not said anything about the Air Corporations' Employees Union because they know that fortunately for us because of the spirit of harmony that has been shown by the management and by the employees' union settlement has been reached with the Pilots' Association and with the Air Corporations' Employees Union. I am sure that the demands or matters or disputes that are pending between CADU and the Civil Aviation Department will also be settled in a similar spirit of harmony and goodwill. There should be no difficulty about that. But I was surprised to see that all the cut motions that have been tabled are nothing but just a list or a verbatim reproduction of the charter of demands and put as cut motions. That is exactly what has been done. One cannot object to it. One can bring out all those points, but is it really the way in which the interests of the employees' union can be served? (*Interruption*). I am not yielding. This means that while certain matters are pending between the department and the employees' union our hon. friends take pride in the fact, pick out those demands and produce them as cut motions and prejudice the prospects of settlement.

Shrimati Renu Chakravartty: Shri Jagjivan Ram never objected to it.

Shri Raj Bahadur: I am not objecting to it. I am only highlighting what my most modern and ultra-modern friend, Shri Daji, had got to say. Yesterday he took objection to my waving the flag for the vintage car race.

Shri Daji: I did not raise an objection. You did not appreciate it.

Shri Raj Bahadur: You said that it is all out of date; the transport policy is out of date, that it is vintage policy. So far as that is concerned, my hon. friend should know that in this country we suffer from a want of spares and foreign exchange and it is up to us to see that we are able to conserve the foreign exchange and encourage a habit of maintenance of motor vehicles as best as we can.

Shri Daji: Right.

Shri Raj Bahadur: With that particular spirit that particular sport was organised and because I was the Minister I went there.

Shri Tyagi: Was it a red flag or a green one?

Shri Raj Bahadur: It was the National flag. It was neither red nor green, blue or white. It was just a national flag. The race was not the first one. It is done in many other countries to promote a habit of economy and better maintenance in the people who own cars or automobiles. But perhaps my friend discards his clothes every day and get new ones stitched. I do not know what he is doing.

Shri Daji: I will send you my tailor's bill.

Shri Raj Bahadur: At any rate, he should allow his mind to get out of the old grooves. He does not allow that but that is exactly what is to be done.

Shrimati Renu Chakravartty: How clever?

Shri Raj Bahadur: Thanks. A point was made about food and traffic arrangements so far as the IAC services are concerned. I can see that there is room for us to improve there and we are straining our last ounce of energy and effort to see that the food arrangements are improved and all that is required in this behalf is done.

I should not say much about the IAC and Air India because much has been said. They deserve all the compliments that have been showered on them by various hon. Members. I would only say that there are two significant events which we must take note of. One is that the number of passengers carried by our airlines crossed the million mark last year and, in fact, it is much more now. The second thing is that since nationalisation passenger traffic has increased from 4 lakhs to about 12 lakhs. This is a very comforting development and in future we hope to make great progress.

So far as Air India is concerned, we all know that the seventh Boeing will be available to them in May and the order for the eighth Boeing has also been placed which will enable the Air India to increase and augment their services.

So far as the I.A.C. is concerned, the advent of the Caravelle has been a landmark and another thing achieved is the agreement with the unions.

Shri Himatsingka (Godda): Will the hon. Minister explain as to why there is constant delay in the departure of all planes from almost every station? When a plane is delayed by four or five hours, why should the passenger not be informed beforehand? Why should he have to go and wait there?

Shri Raj Bahadur: I agree that when the delay is for a particular number of hours the passengers must be informed in good time. If there is a telephone, they should be informed. But sometimes delays are unavoidable. The might be because of weather conditions particularly from Calcutta. We know that in winter months it is not possible for the aircraft to take off in the mornings because of the fog quite often. There are many other factors that come in between. We know that the safety factor is the paramount factor so far as air services are concerned. It is not like the Air Force where the target is the first consideration and safety is the next. In this case, safety is the first and destination is the next. I think, the House would agree that this particular principle must be observed by the airlines. That is why on the slightest trouble or snag being discovered we do take time. But the needs of punctuality have to be observed and, I think, the IAC would look to it that these delays are reduced to the minimum.

Then I would like to say something about the pay structure and the emoluments and the demands of the employees of both the corporations, the Air India and the IAC. I would like to read out my observations on this particular matter. After the nationalisation of the air transport industry in 1953 and the setting up of the two air corporations, the managements of the corporations have had to negotiate from time to time with their employees settlement on various demands for revision of their wages and other conditions of service. These settlements have been reached largely on an *ad hoc* basis each time. No systematic and comprehensive study has been undertaken so far to evaluate the duties and responsibilities of the various grades with a view

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to evolving a rational wage structure with due regard to factors such as skill, qualifications, experience etc., required by various grades of employees and without prejudice to the obligation cast under the law on the corporations to offer to the public safe, efficient, adequate and economic air transport service on reasonable charges. Government consider that the time is now ripe for undertaking a detailed and comprehensive enquiry in these matters. The enquiry will also be directed to evolving a fair and equitable standards for determining the strength of various grades.

The enquiry will be entrusted to or headed by a serving or retired High Court Judge with whom will be associated representatives of the interests concerned and such specialised expertise as may be needed.

The terms of reference of the enquiry will be:

(a) to classify the various categories of employees of the two air corporations into well defined grades with reference to their duties and responsibilities and recommend nomenclatures for adoption by both the corporations;

(b) to review the existing conditions of service in each of the Corporations and recommend fair and equitable regulations thereon taking into account the special features of employment in the two Corporations;

(c) to work out for each grade classified as in (a) above, the scales of pay and allowances with reference to the skill, qualification and experience required taking into consideration the comparable pay scales and conditions of service in similar occupations; and

(d) to evaluate with reference to the nature of work in each of the grades and with comparable work in similar occupations, the standards for determining the strength of each of the grades in different departments.

This enquiry will take due account of the impact of its recommendations on the cost of operations with due regard to the obligation of the Corporations to provide satisfactory service at reasonable fares, particularly over the domestic routes, and the need for acquiring a fair and equitable return on the capital invested.

Then, there is the last point about the pending demand of the Air India employees, what they call the 13th pay or an *ad hoc* payment in lieu of the profits that have been made. I would only say that the matter is now with the Government. The Board has made recommendations and we are giving our most serious and active consideration to it and in the course of the next few days or about two weeks, we shall be able to come to a sort of decision and we will announce it.

I now come to a subject which is very close to the heart of Mr. Raghunath Singh—I am sorry he is not here—and that is about shipping. Much has been said about shipping and a complaint was made by someone that the expansion has not been fast enough or upto the mark. In fact, my friend Mr. Daji said that we fixed a "piteously small target"—If I may use his expression—and having achieved that, we are trying to talk tall about it and trying to feel proud of it. I may assure him that we are not trying to take any credit for that, nor are we proud of this thing or any other thing. But we simply record facts as they are and let me say what the facts are. At the dawn of Independence, our shipping tonnage was a little over 2 lakhs GRT. In the next 9 years, that is, upto 1st April, 1956, it went upto 4.8 lakhs GRT. Thus 2.4 lakhs or 2.6 lakhs GRT were added in

9 years' time and that was despite the target that was set for the shipping, that is, a target of 2 million tons at that particular time. I will not say much about that because it is not necessary. I would say, so far as this particular year is concerned, we have after allowing for scrapping of 32,000 GRT, made a net addition of 2,50,000 GRT which is an all-time record. So far as the First and Second Plans are concerned, whereas the average annual rate of expansion was 28,400 GRT in the First Plan and 75,400 GRT in the Second Plan, in the first three years of the Third Plan it has been as much as 1,50,400 GRT. This rate is really unprecedented and so far as the targets are concerned, the Member opposite knows that—it might be a piteously small target—but even the National Harbour Board which is the highest advisory body in this particular matter recommended a target of only 1.42 million GRT only. Now what is the position? The position is that when we crossed 1.1 million tons target in the first year, we got it revised by the Planning Commission and the Finance Ministry to 1.25 million tons. We achieved that too. Today, our tonnage in operation stands at 1.3 million tons. Then, orders are there for another 300,000 G.R. tons which are under construction and thus it comes to 1.6 million tons. After crossing this figure of 1.25 million tons, we got the target revised to 1.8 million tons, that is 18 lakh tons, which is twice as much as was there at the end of the Second Plan. At the end of the Second Plan, we had only 8.50,000 tons only. Today when we have reached a figure of 1.6 million tons including the constructions which are already there and which are to be delivered by March, 1966 or even before that. Well, we have now taken up the question of revising the target to 2.5 million tons.

Shrimati Renu Chakravartty: For the Third Plan?

Shri Raj Bahadur: Right for the Third Plan.

Shrimati Renu Chakravartty: May I know, at the moment, how much is in the public sector and how much in the private sector?

Shri Raj Bahadur: As regards public sector, it is about 2.4 lakh tons. I will give the exact figure later on. But let it be said that so far as these targets are concerned, they are not beyond our reach. If we include all the sanctions for 1.7 lakh tons GRT that we have issued, the target in operation would be 1.8 million GRT by the end of the Third Plan. Adding to this 7 lakh of tonnage which may well be sanctioned and would thus be under construction at that time, the target might be 2.5 million tons GRT. Our target might be piteously small to begin with but the Shipping Board also advised us only a target of 1.42 million tons. If we can reach a figure of 1.8 million tons in operation by the end of the Plan, it is not a matter to be proud of, or, it may not be a matter for Mr. Daji to feel satisfied. But, I think, it is a matter for which the country can well be proud of the industry and of those who have gone to build it up.

The next point that has to be taken into account is that while making these acquisitions we have not increased the financial burden to our exchequer. The financial allocation for Third Plan was Rs. 51 crores. We propose to confine our requirements so far as that particular matter is concerned within this allocation. Let it also be recognised that this entire shipping is not old or of the vintage type. At least, as much as 60 per cent of it is less than 10 years old and if we just take into account the overseas tonnage that we have got, 80 per cent of it is less than 10 years old. If we take into account all these facts, we would say that it is not negligible. We may say that the progress may not have been spectacular, but it cannot be said that it has been unsatisfactory. Mr. Raghunath Singh wanted us to judge all this against the

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tonnage. He said that we are very static. Our tonnage was ·53 per cent of the total world tonnage in 1956 and it is only ·83 per cent in 1963. He said that our position in world shipping was 19 in 1956 and it remains 19 even now. I think both these facts are incorrect because they have got to be viewed against a proper perspective. The world tonnage in 1956 was as much as 105.2 million tons and in 1963 it rose to 145.86 million tons. This .53 per cent was of the earlier smaller figure and this .83 per cent is of the latter increased figure which means the quantum of increase has been much more proportionately. Our position was 21st in 1956 and now it is 19th. In international circles we have been given recognition for that. There is a body called "the Inter-governmental Maritime Consultative Organisation". We are in class 'D'. Class 'D' is confined to those members who have only got substantial interest in the international trade. Above that is the category 'C' consisting of countries who have got substantial interest in the international shipping. We have recently been elected to that. Out of the two countries that have been elected to the Council of this Organisation, we are the one country. Apart from that the Council has again recognised our efforts in this direction by electing the Director General of Shipping and the Additional Secretary in the Ministry, Dr. Nagendra Singh, as the President of the IMCO for the III Assembly which means a recognition for our shipping industry and we give only due credit to this particular matter.

Then, Sir, we were accused by Shri Raghunath Singh that we are unable to lift an ounce of the foodgrain cargo. I think he wanted me to do some *bahaduri* about it. I think *bahaduri* also requires a little *buddhi* and without *buddhi bahaduri* becomes a confusion. If I want shipping to lift foodgrains from America, I must give them some sort of a cargo from this side. They cannot go empty from here.

Shrimati Renu Chakravartty: You cannot do it. That is not in the agreement itself.

Shri Raj Bahadur: Under the agreement, we are entitled to 50 per cent. Nobody can question that right. It is purely a question of economics. The question is whether our ships can go empty and bring the cargo. Secondly, the question is whether they can lift these foodgrains at the same rates as the world shipping is prepared to do. These two factors operated against our shipping. Therefore, they did not attract our shipping.

15.00 hrs.

Shri Thirumala Rao: Have Government considered the question of subsidy?

Shri Raj Bahadur: The question of subsidy is also related and linked to the question of flag discrimination. All these matters are complicated. Therefore, I say that along with *bahaduri* there must be also some *buddhi*....

Shri B. K. Das (Contai): Is there any attempt to develop return cargo?

Shri Raj Bahadur: That is exactly what is to be done, and that is where my colleague the Minister of International Trade has to help us. We want that more and more of bilateral agreements are concluded with America, for example, for the export of iron ore; if we could get it, perhaps this can be arranged. Even so, we are not staying put. The very moment that we got to know of this particular agreement or arrangement about 17 million tons of foodgrains to be imported from America, we asked our shipping companies to come forward and build bulk carrier tonnage. Unfortunately they could not go ahead. But we have not lagged behind. We have already obtained 6 bulk carriers of 130,000 GRT. Three more are under construction. Orders

for five more have been allowed to be placed, which means a total of 14. We propose to add 19 more, and already, in fact, we have commitments made for about 9 more, and we think that there is a demand by two other companies for permission to build 5 and 4 respectively. So, we think that with 33 bulk carriers, it would be a tremendous addition to the bulk carrier tonnage of our country which was a sadly lacking requirement of our shipping tonnage, and which we are thus going to make up.

Apart from that, we have also built tramp tonnage and we have now tramp tonnage which goes to the figure of 100,000 GRT. Thus, the imbalance in our fleet due to absence of bulk carriers and smaller tramps has been removed. We have also entered the field of overseas tankers. The first one was a second-hand one. Now, we have got a new one which has been acquired by the public sector corporation and this happens to be the biggest vessel in Indian shipping today. We hope to get a few tankers more, and we are taking steps for that purpose.

There was a point made about foreign exchange earnings. It was said that we were losing as much as Rs. 135 crores per annum. I do not know on what estimates or calculations that figure was based. But we may roughly calculate that on the basis of the value of trade which today is more than Rs. 1,800 crores; 10 per cent goes to freight; that means Rs. 180 crores. But that sum of Rs. 180 crores is not all ours. We can claim only 50 per cent of it and no more. That would come to Rs. 90 crores. As against Rs. 31.19 crores earned by our shipping in 1962, the figure this year stands at Rs. 39.78 crores which means that as against our due of Rs. 90 crores, our shipping tonnage is already making about Rs. 40 crores, which is a significant improvement.

Apart from that, let it also be recognised that only three or four years back, the total percentage of our trade lifted by our shipping was 9 per cent. It rose to 12 per cent in 1961-62, and to 15 per cent in 1962-63, and in 1963-64, the estimated percentage of our trade lifted by our shipping is 18 per cent. So, it should be recognised that we are making a rapid progress and not slow progress in this particular matter.

Two more bilateral agreements for shipping have been concluded, one with the German Democratic Republic and the other with the United Arab Republic, which would open up new avenues for the development of our shipping and shipping industry.

To encourage our tramps to take their chance and to fill up the gap whenever there is some trouble, we have allowed them to have global licences. This scheme came in handy for us when the India-U.K.-continent conference increased their freight rates. Shri Daji had referred to this point. I am sorry that I am giving so much attention to him, but that is because he has said so many things which are absolutely unfounded and baseless. He said that we got a rebuff from the conference, and he asked why we should not break off and come out of it. I have said time and again in this House that shipping is the handmaid of trade. Shipping is not an end in itself. The needs of the trade is the end. Our export ends are the end. Shipping has to serve our trade. Therefore, conference or no conference, we shall see that all the bottoms required by our trade are provided at reasonable freight rates. The conference is also a means to an end only and not an end in itself. Shri Daji said that we seemed to be attached to it like Anthony to Cleopatra. That was an odd simile and I do not know how he chose it. I would say that the conference does provide some advantages, and those are of a regular and dependable service which cannot be lost sight of, and it is for that purpose that we are continuing there.

Shri Daji: The USA does not follow the conference scheme.

Shri Raj Bahadur: But the trade of USA and the tonnage of USA cannot be compared with our trade and our tonnage. You cannot compare two incomparable ones. In the matter of roads also, sometimes people compare the milages per square mile in various countries. For instance, yesterday, one hon. Member said that the figure for our country was only 0.36 mile per square mile, whereas in Germany, France and Ceylon, the figure is much higher. I would say that India is a big country, and,.....

Shri Himatsinghka: And undeveloped.

Shri Raj Bahadur: ....all percentages in our case will work out to be very small. Whereas the U.K. has got 2.2 miles per square mile, USA has got only about 1 mile per square mile. On that ground, can you say that the US road system is ill-developed? It is a similar comparison which has been made in the case of shipping also. So, we cannot be compared with the USA in this matter.

As I was saying, the conference also gives us some advantages, and so long as it continues to give those advantages, we have to use it. I would say that while we are not attached to the conference as Anthony to Cleopatra, we do not also want to play Othello, the Moor with Desdemona, and simply because of our suspicion we would not like to throw it away.

So far as the Shipping Corporation is concerned, it has achieved substantial results during the course of this year.

Shri Himatsingka: Is there any scheme to replace the Pakistani *khalasis* who can make the Calcutta port unworkable? Is anything being done in that regard?

Shri Raj Bahadur: So far as the port is concerned, I am speaking from memory when I say that about 2000 of them were employed there. About 1200 to 1300 have resigned, and we accepted their resignation, and we have filled up the vacancies. We are not persuading them to remain here. Even if they go, we shall be in a position to manage....

Shri Himatsingka: They should be asked to go.

Shri Raj Bahadur: The steps that we take for the security of our port etc. are constantly under examination.

Shri Himatsingka: Will they be replaced by Indian nationals or others from Pakistan?

Shri Raj Bahadur: They will be replaced by Indian nationals, of course.

To go back to the India-UK-continent conference, they wanted to increase the freight by 15 per cent. On our protest, they had fixed it at 12½ per cent increase. On our protests further, they reduced it to 10 per cent. They have also accepted for the first time the principle of cash rebates which they had not accepted for Indian shippers before, which is a great advantage to us now because now our shippers are not bound always to use the conference vessels.

So far as the Shipping Corporation is concerned, I would like to state a few facts and say something about its programme. Its owned tonnage has increased during the course of the year from 1.26 lakhs tons to 2.42 lakhs tons. The cargo carried has increased from 8.7 lakhs tons to 12.44 lakhs tons. The earnings have risen from Rs. 5.67 crores to Rs. 12.4 crores. The net foreign exchange earnings have gone up from Rs. 2.6 crores to Rs. 6.5 crores. The number of employees has increased from 710 to 2,921.

The corporation has entered three new important trade routes, namely

India-UK-Continent, India-USA, and West Coast of India-Japan. The net profits have gone up from Rs. 47 lakhs to an estimated figure of more than Rs. 1 crore. For the last three years, it has been making that much of profit, and I think that these are substantial results. So, as a public sector undertaking, this is showing significant results just as the Air India or the IAC on the aviation side.

So far as the question of Shipyard is concerned, I would like to mention a few facts. Before I come to that, let me say something about the corporation's further programme. The shipping corporation will enter the coasted trade of India with modern tonnage suitable for the transportation of coal which is a principal commodity in the coasted trade. 4 vessels have already been ordered. The Shipping Corporation is going to order 5 large-sized bulk carriers during 1964-65. It will order one additional bulk carrier in the following year until a sizable bulk carrier fleet has been built.

The Shipping Corporation will acquire additional tanker tonnage for meeting the growing requirements in respect of the import of crude oil and oil products from abroad. In about three years time, by the middle or end of 1967, the Shipping Corporation would have crossed the half-million mark. The eventual target is one million GRT, which is a substantial tonnage.

So far as shipyards are concerned, much suspicion has been generated.

Mr. Deputy-Speaker: How much more time will the hon. Minister take?

Shri Raj Bahadur: Another five or ten minutes—I will deal with shipyards and ports and close.

Shri Daji: Anyway all the demands will be passed.

Shri Raj Bahadur: I can close even now, but I think the House will be interested in certain facts I can give.

So far as the second shipyard is concerned, we know that we have to depend on foreign technical aid. Therefore, we have to go to a country which has already established a reputation, namely, Japan. In October 1963, their team came and discussed the matter with us. To finalise the agreement, they wanted us to go to Tokyo. Since then, some developments did take place which came in between. But everything has been cleared now. They have invited an Indian team of financial and technical experts to Japan by about the middle of April to conclude the agreement. I hope this will be concluded in Japan next month.

So far as the Hindustan Shipyard is concerned, let me say that it has made progress. It is not as if it remains static. Last year, the total value of production was Rs. 498 lakhs which was a record figure. The cost of ships has also gone down. Formerly, there was a subsidy for HSL of 26 per cent. Now it has come down to 19 per cent. It is proposed that we should eliminate this subsidy and the shipyard should stand on its own legs. It is possible for us to do this because the shipping companies have also realised that as against paying 30 per cent extra on ships from abroad, they could as well make the payment in rupees and pay 10 per cent more only.

I can also say that the number of man days spent in the construction of each ship has shown a reduction. For example, in the Lubecker series II type, the figure has gone down from 316,954 to 277,000.

So far as the performance and its recognition is concerned, let me only remind the House that it was only last year that the President's Award was won by HSL for meritorious performance. That would not have been

[Shri Raj Bahadur]

possible if its performance was below the mark or unsatisfactory. It has been decided, in view of the achievements made by it, that the shipbuilding capacity of the yard should be raised from 3 ships to 6 ships by 1968. All necessary steps will be taken for that. The only limiting factors so far have been the availability of the required type and quantities of steel and foreign exchange, which have been sometimes a great handicap. As I said just now, the element of subsidy will be reduced and ultimately eliminated.

In order that the ship repairing industry may be able to play its role full in the context of expanded merchant fleet, it is essential to expand ship repairing facilities and to see that every encouragement is given to this industry. In order that shipbuilding in the country and ship repairing may be dully attended to, it has been decided to set up an Advisory Council for Shipbuilding and Ship Repairing. The Council will be composed of a government official as chairman under the presidentship of the Minister of Transport. It will have representatives of the ship repairing and shipbuilding organisations, both in the private and public sector, along with some non-officials with technical knowledge and experience. The Council will meet from time to time and recommend measures to be taken for reviving the ship repairing industry as well as making suggestions for improving facilities for indigenous shipbuilding and ship repairing.

As regards ports, many points have been raised. I would only say that ports have been doing well. The capacity of the ports has increased. We have today a capacity of more than 48 million tons. Against this, last year's traffic figure is 42 million tons. By the end of the Third Plan, it is expected that this capacity will go up to 60 million tons.

A major event last year was the enactment of the Major Port Trusts Act. Since then the Act has been brought into force. The first provisional board of trustees has been appointed for Cochin, Kandla and Visakhapatnam under section 4. The permanent boards of trustees will perhaps start functioning in April.

So far as Marmugao is concerned, it also has been declared as a major port and we are taking steps to ensure that the first board of trustees is appointed by the end of June.

So far as Madras is concerned, the new wet dock has been completed. As regards Cochin, all the four new berths have been completed.

As regards Bombay, the dock expansion scheme aided by IDA is being executed. Many ancillary works have already been started and tenders for the main project will be issued by the end of this month, providing for an additional capacity of 1.4 million tons. Sanction has been issued for the preparation of a Master Plan for the future development of Bombay port which would take into account the congestion in rail and road approaches to Bombay.

The scope for the development of new berths at Navan on the mainland is being investigated.

So far as ports are concerned, I think they have done well. I can assure the House that there will be no difficulty so far as our efforts in the department are concerned.

Some Members have observed that the drafts are unsatisfactory, particularly in Calcutta. Shri Samanta spoke about Haldia. I can give the figures for the various ports. Visakhapatnam which used to have a draft of 31 ft. will have 33 ft. from 1st April, 1964,. In Madras, a draft of 36 ft. would be made available at certain berths in the new wet dock as against 30 ft. at present. In

Bombay it is 31 ft. It will be raised to 33 ft. when the Dock Modernisation Scheme is completed. Marmugao will allow shortly a draft of 30 ft. as against 28 ft. at present. Haldia has got a draft of 28 ft. on all days, 30 ft. on 346 days, 32 ft. on 238 days, 35 ft. on 39 days. With the developments we have undertaken, a stable draft of 35 ft. will be available, which can be improved to 40 ft. Mangalore will have a draft of 39 ft., Goa 40 ft. and Paradip 38 ft.

The need for mechanisation and modernisation is recognised and we are taking steps to see how we can tackle this particular problem.

As regards Haldia, two points were raised by Shri Samanta. One was about naming it as Tamralipta and the other about the rate of compensation. If we go back to the old names, we may have to call Delhi as Hastinapura. As regards Bombay, Mumbai is already there. Calcutta will have to be called Kalighat. Madras also will have some other name. I am not trying to treat this suggestion lightly. The State Government wrote to us about it, but not very strongly. We are prepared to consider this particular suggestion and we will see how best we can meet it.

As regards inland water transport, I would only read out the steps we are taking.

Dr. Ranen Sen (Calcutta South): Are you changing the name of Calcutta to Kalighat? It is a proposterous suggestion.

Shri Raj Bahadur: No, no. I only mentioned the analogy.

The Government of India have been considering for some time past the question of setting up a technical organisation to deal with various aspects of development of inland waterways in a co-ordinated manner. Under the Constitution, the subject 'inland navigation' falls in the States sphere, whereas inland navigation by mechanically propelled vessels falls in the concurrent list. Investigation of the technical potentialities with regard to waterways is dealt with by the CWPC. In order, therefore, to give the necessary impetus and guidance for a co-ordinated development of this mode of transport, Government have decided to set up in the Ministry of Transport a Directorate of Inland Water Transport manned by highly qualified personnel. This Directorate will deal with investigation, planning and designs of inland water transport generally and in particular undertake studies of the country's inland waterways, connected structure and prepare technical reports on their designs and formulate proposals to provide and extend navigation thereon, with due regard to the country's immediate as also long-term transport requirements. It will suggest ways and means to improve the designs of craft, navigational aids, terminal facilities and conservancy, and will organise measures for the training of the personnel required. The Directorate will also furnish the requisite technical guidance to the State Governments, examine the specific schemes prepared by them, and help the co-ordination of efforts, wherever indicated. The details of the set-up will be given out later on.

One word about meteorology, which has really made history by participating in the rocket firing experiments at Thumba. I think that is a matter which should be taken note of.

One word about the 2,000 or more employees who are manning our lighthouses on the coast. Some word of praise should be given to them sometimes because they are really doing a very good job.

With these words, I would humbly claim that while we may not have achieved any spectacular success in the course of the year, we have not fared badly.

Shri Thirumala Rao: I want to ask a question. The Minister could not

[Shri Thirumala Rao]

say anything about the minor ports, nor is any information vouched in this huge Report.

Shri Raj Bahadur: I assure him that any information in respect of any particular port that is asked, I will certainly furnish. I will reply to specific points. I might not have answered many other questions also.

I wish to say a word about the Sethusamudram project. The project has been approved for advance action in relation to the Fourth Plan. The Madras Government have prepared a feasibility report which will now be considered by a technical committee to be shortly appointed by the Ministry of Transport. Meanwhile, preliminary steps such as notification with a view to acquisition of land are being taken by the State Government.

Shri Thirumala Rao: There is another that I wish to ask.

Mr. Deputy-Speaker: Already we have exceeded the time by 20 minutes.

Shri Thirumala Rao: This is such a huge Ministry and we have allotted it very limited time.

Mr. Deputy-Speaker: The hon. Member may take other occasions.

Shri Sinhasan Singh (Gorakhpur): I want to make an enquiry.

Mr. Deputy-Speaker: I am sorry. We have already taken 20 minutes more. I shall now put all the cut motions together.

The cut motions were put and negatived.

Mr. Deputy-Speaker: The question is:

"That the respective sums not exceeding the amounts shown in the fourth column of the order paper, be granted to the President, to complete the sume necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1965, in respect of the heads of demands entered in the second column thereof against Demands Nos. 82 to 89 and 137 to 140 relating to the Ministry of Transport."

The motion was adopted.

[*The motions of Demands for Grants which were adopted by the House are reproduced below—Ed.*]

DEMAND NO. 82—MINISTRY OF TRANSPORT

"That a sum not exceeding Rs. 97,34,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Ministry of Transport'."

DEMAND NO. 83—METEOROLOGY

"That a sum not exceeding Rs. 2,45,78,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Meteorology'."

DEMAND NO. 84—CENTRAL ROAD FUND

"That a sum not exceeding Rs. 4,03,76,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Central Road Fund'."

DEMAND NO. 85—COMMUNICATIONS (INCLUDING NATIONAL HIGHWAYS)

"That a sum not exceeding Rs. 7,02,51,000 be granted to the President to complete the sum necessary to defray the charges

which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Communications (including National Highways)'."

DEMAND NO. 86—MERCANTILE MARINE

"That a sum not exceeding Rs. 1,18,74,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Mercantile Marine'."

DEMAND NO. 87—LIGHTHOUSES AND LIGHTSHIPS

"That a sum not exceeding Rs. 1,00,19,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Lighthouses and Lightships'."

DEMAND NO. 88—AVIATION

"That a sum not exceeding Rs. 6,45,54,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Aviation'."

DEMAND NO. 89—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF TRANSPORT

"That a sum not exceeding Rs. 2,81,68,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Other Revenue Expenditure of the Ministry of Transport'."

DEMAND NO. 137—CAPITAL OUTLAY ON ROADS

"That a sum not exceeding Rs. 54,73,37,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on Roads'."

DEMAND NO. 138—CAPITAL OUTLAY ON PORTS

"That a sum not exceeding Rs. 2,44,27,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on Ports'."

DEMAND NO. 139—CAPITAL OUTLAY ON CIVIL AVIATION

"That a sum not exceeding Rs. 4,53,28,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on Civil Aviation'."

DEMAND NO. 140—OTHER CAPITAL OUTLAY OF THE MINISTRY OF TRANSPORT

"That a sum not exceeding Rs. 6,30,75,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Other Capital Outlay of the Ministry of Transport'."

15.24 hrs.

MINISTRY OF LAW

Mr. Deputy-Speaker: Now, we take up the Demands of the Ministry of

[Mr. Deputy-Speaker]

Law. Only three hours are allotted.

DEMAND NO. 74—MINISTRY OF LAW

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 42,22,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Ministry of Law'."

DEMAND NO. 75—ELECTIONS

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 78,74,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Elections'."

DEMAND NO. 76—OTHER REVENUE EXPENDITURE OF THE MINISTRY OF LAW

Mr. Deputy-Speaker: Motion moved:

"That a sum not exceeding Rs. 2,02,000 be granted to the President to complete the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Other Revenue Expenditure of the Ministry of Law'."

Mr. Deputy-Speaker: Hon. Members may now move their cut-motions subject to their being otherwise admissible.

Shri Yashpal Singh (Kairana): I beg to move:

(i) "That the demand under the head Ministry of Law be reduced by Rs. 100."

[*Delay in ranslation of various Central Acts into Hindi* (18)].

(ii) That the demand under the head Ministry of Law be reduced by Rs. 100."

[*Delay in enacting legislation on the Hindu Religious Endowments and Hire-Purchase System as recommended by the Law Commission.* (19)].

(iii) That the demand under the head Elections be reduced by Rs. 100."

[*Allotment of symbols for Independent candidates* (20)].

(iv) "That the demand under the head Elections be reduced by Rs. 100."

[*Need for revision of election laws on the lines of experience gained during the last twelve years* (21)].

Dr. M. S. Aney (Nagpur): I beg to move:

(i) "That the demand under the head Ministry of Law be reduced by Rs. 100."

[*Need to appoint Enquiry Committee on Mohamedan Law* (22)].

(ii) "That the demand under the head Elections be reduced by Rs. 100."

[*Need for expeditious disposal of election disputes* (23)]

Shri P. K. Deo (Kalahandi): I beg to move:

(i) "That the demand under the head Elections be reduced by Rs. 100."

[*Need for electoral reforms to make the elections cheaper and less complicated* (24)].

(ii) "That the demand under the head Elections be reduced by Rs. 100."

[Need to allot to Independent candidates symbols which are otherwise allotted to political parties, in a State where no such political party has been recognised and where the consent of the party has been obtained for the use of such symbol (25)].

Dr. M. S. Aney: I beg to move:

"That the demand under the head other Revenue Expenditure of the Ministry of Law be reduced by Rs. 100."

[Need to accelerate the work of Law Commission by publication of translation of laws in Hindi (26)].

Shri R. Barua: I beg to move:

"That the demand under the head Ministry of Law be reduced by Rs. 100."

[Need for evolving effective machinery to give legal aid to the poor. (27)].

Mr. Deputy-Speaker: The Demands and the Cut Motions are now before the House.

Shri Daji: Speaking on the Demands of the Ministry of Law, I would like to reiterate once again what was mentioned last year and the year before, to which the Minister gave heartening replies, he always gives heartening replies, namely the question of the maintenance and furtherance of the rule of law. In the modern concept of jurisprudence, an organised, decent system of law is the *sine qua non* for the maintenance of the rule of law, and, therefore, it is not merely sufficient that we accept the letter of the law, but we also examine the causes and reasons which lead to the weakening of the rule of law wherever it occurs or its strengthening, if that be the case. I submit that all that is required for the strengthening of the rule of law is not being done in our country, howsoever we may like it to be strengthened.

Rule of law should not be constructed merely as the independence of the judiciary or the supremacy of law. Of course, they are parts of it. But, as long as modern social concepts are not written into the fabric of the rule of law, the supremacy and the maintenance of the rule of law will be very difficult.

I concede that it is for the majority party and minority parties, for every one in a democracy to help in the maintenance of the rule of law, but the over-all burden, and the most important responsibility, rests with the party in power, the majority party, because it is the majority party which can subvert or weaken the rule of law indirectly, if not directly.

In this connection, I am constrained to remark that it is very unfortunate that persons placed in high positions of power have been flagrantly violating the spirit of the rule of law. I refer to the appointment of the Das Commission. The Das Commission is a Commission under the Commissions of Inquiry Act. It may not be exactly a judicial Commission, but no one will deny it is a quasi-judicial Commission with quasi-judicial powers. And the person who is hauled up before it is no less a person than the Chief Minister. Even when the Commission is enquiring, he makes bold to make a statement: "I know what the judgment of the Das Commission will be. It will be a slap on the face of the Opposition who have arraigned me before the Commission." If such a thing happens in the country when the Commission is holding its session from day to day, that the Chief Minister who is arraigned before the Commission comes out and makes such a statement, certainly I think it strikes at the root of the rule of law, of the maintenance of the spirit of the rule of law, to which we are all wedded. What would have happened to the Chief Minister if he had said any such thing about a case

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pending in a court of law? Just because technically the Das Commission has not the power to haul up persons for contempt, he is today scot-free. If he had passed remarks about a case pending before a High Court, he would have been hauled up for contempt.

Shri K. N. Tiwary (Bagaha): Has he made such a statement?

Shri Daji: Yes, he has made such a statement.

Shri K. N. Tiwary: He has denied it.

Shri Daji: That always he does.

The question of the rule of law should be looked at from two aspects. If approach to justice is very costly, the common people are deprived of its benefit, and it is as good as the denial of the rule of law. We have been making these complaints again and again, and the Minister has been saying that some legal aid scheme is being drawn up.

The Minister of Law (Shri A. K. Sen): For the Scheduled Castes and Scheduled Tribes.

Shri Daji: Only for them, but they are not the only poor sections of the community, and something more positive should be done to give legal aid to the poor. Otherwise, merely saying that the legal remedy is available, which they cannot take advantage of because they have no money, is hardly a solace. Therefore, I said last year and again I say now that if justice is to be measured in scales of gold, it will cease to be justice.

Another aspect of the matter, which I had dealt with last year and the year before also, is the question of appeals. I do not understand the logic of stamp fees being charged on appeals. You may admit an appeal or not.

Shri A. K. Sen: This is a State subject.

Shri Daji: I am taking of the whole concept of the rule of law, and how you can enrich it.

Shri Ranga (Chittoor): Have we to pay stamp fees on appeal? It becomes twice.

Shri Daji: Not only twice, thrice. It is really penalising the citizens for a possible mistake of the judiciary. It is no solace being told we will get it back. In most cases we do not have money to go in appeal. In a couple of cases, senior lawyers said they were good cases for appeal, but my client could not afford to foot the bill, and, therefore, we had to be content with whatever justice or injustice there was. Therefore, this aspect should be examined in detail.

Then, I come to a very important question, about which we were all agitated this morning. I am not going to discuss the merits of the case. They are better not discussed. In fact, I think that the approach to the whole crisis which has come about, a constitutional crisis as the hon. Speaker was pleased to say, should be not merely from the aspect of the independence of the judiciary or the sovereignty of the legislature; it has to be viewed in a wider concept and perspective. Though I agree with the sentiment expressed by the hon. Law Minister about the judiciary and its independence, I think it should not be the last word on the matter and the lopsided impression given this morning should not go because the sovereignty of the duty elected legislature is also of equal importance and we cannot easily barter away this. Actually speaking, it is the sovereignty of the Constitution; in our country Constitution is sovereign. The question arises:, whose interpretation of the powers given by the Constitution would be final? . . . (*Interruptions*).

Shri Ranga: The courts.

Shri Daji: Why is there this deadlock? The deadlock shows two things: (a) weakening of the spirit of law and (b) the pitfalls that beset us when we try to graft English conventions to our system without giving any serious thought to them. Here, I hold the Law Ministry responsible because the question came up forcibly sometime back, when the *Blitz* case was discussed here. Ever since, the Press and the Members of Parliament have been asking for a law codifying the privileges. It is now fourteen years since 26th January 1950 when our Constitution came into force; yet the Law Ministry have not thought it fit to codify the privileges.

Shri A. K. Sen: It is for the Ministry of Parliamentary Affairs.

Shri Daji: But it is you who replied to this question. Because these have not been properly codified, there is this confusion. Let us not take sides in this confusion or discuss the merits of the case. This side or that side may be slightly wrong or right. But we are left with a situation when the Speaker has been summoned by the court for contempt of court and the Judge had been summoned by the Speaker for contempt of the assembly. It is a serious constitutional crisis and we need not take any partisan attitude; they are both wings of a democratic structure and their respective rights and jurisdiction should be respected.

Dr. M. S. Aney: On a point of order, Sir. If a discussion on a certain point has been ruled out by the Speaker in one form, can that matter be discussed again in the House, in another form or on another occasion?

Mr. Deputy-Speaker: He is not discussing the merits. Please do not bring in the merits. He is speaking about the failure of the Law Ministry to bring in a law of privileges.

Shri Daji: I have scrupulously kept out the merits of the case. I am afraid that an identical crisis may also develop in M.P. Already an identical situation has arisen; a man is already in jail for contempt of the House; I am afraid that I may not listen to an AIR news today or tomorrow that a similar situation had arisen in M.P. also. The whole machinery is brought to ridicule and we cannot sit at the Centre like this. We are not the sole custodians but we are important custodians of the Constitution and we cannot let things to drift.

When we were discussing last time the constitutionality of the Defence of India Rules the hon. Minister with bravado said: if anyone has suffered damage due to *ultra vires* acts under the Defence of India Rules, I will reimburse them.

Shri A. K. Sen: If I am quoted, I should like to be quoted correctly. I did not say that I shall take responsibility, personally.

Shri Daji: All right; let the Government take responsibility. I understand Government is considering bringing forward a 19th amendment or 18th amendment to the Constitution, retrospectively validating all illegal or *ultra vires* action under the Defence of India Rules because there are doubts cast by courts about the rules framed; a statement was made that when the Emergency is lifted such an amendment would be brought forward. It is difficult to say what all kinds of damages, illegal acts, loss of life, liberty and property would be there which it may entail. It is something which goes against the spirit of the rule of law, if not the letter. It would be a serious set-back to our growing democracy.

Every year, there is reference to separation of judiciary but somehow or the other in many parts of the country, it has not come into effect—sometimes due to financial reasons, sometimes due to administrative diffi-

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culties. The executive is still not ready to really part with its power and it wants to maintain its supremacy. Energetic and compelling steps should be taken so that we have this bulwork of democracy.

There are one or two points about elections. Unless something radical is done, all of us will be in difficulties—irrespective of parties. Elections are becoming prohibitively expensive. Whatever be the returns filed or limits fixed—I do not comment upon them; it is a reflection on us individually and collectively—elections and by-lections are prohibitively expensive and many people ruin their entire fortunes. They are, therefore, forced to adopt the only alternative: to go and beg at the gates of money-bags. As the proverb goes, on who pays the piper, calls the tune. When you go to them with folded hands, how can you take steps energetically to implement socialism of the Bhubaneswar variety or even democratic reforms in an unhindred and unhampered way? I am giving this warning with all the solemnity at my command. Let us all get together and sit in a conference and decide how we can simplify the election machinery. Otherwise, democracy will become the handmaid of money-bags; there will be negation of democracy.

By a recent notification, the Election Commission have said that in those States where a party is not recognised, party symbols will not be given and all will be treated as independents. That will mean that in the same city candidates of the same party will have different symbols. The Commission says that it is based on the percentage of votes obtained in the last election. The previous position was better and more reasonable and it was a more beneficial arrangement: if anybody wanted a symbol, and if nobody else wanted that symbol, it was given. That was a fairer arrangement to smaller parties and more conducive to democracy.

Shri Ranga: All are smaller parties except Congress.

About the Advocates Act, we had passed some amendments, and some other amendment is going to come about. Whatever is good may be contemplated to be done, but then, unless a system of examinations is set up and the Bar Councils are prepared for it, we must not go on amending the Act twice a year, shifting the examinations from January to July and then from July to January. It is not good. Let us first get together and see whether all the Bar Councils are ready with the machinery to train them and coach them and help them and hold their examinations. Only then the amending Act should be brought and the Act should be applied. Probably, it may take a year or more, but it does not matter.

Then, I may draw the attention of the Law Minister to one difficulty. The Home Ministry has extended our IPC, CPC and other Acts to the territory of Goa. That was what we have always been demanding and it was a good thing. But now the result is that the local magistrates and judges there do not know anything of our law. The lawyers there are old lawyers and they have been dealing with the French or the Portuguese legal systems. They do not know our system, and the judges or the magistrates there have refused permission for lawyers from outside to come and appear. A case went up to the high court, and the high court had also stated that it would be desirable that lawyers from outside are allowed there, but then it is within the discretion of the local judge or magistrate. There is a sort of conflict developing between the local lawyers and others there. Unless the people there take adequate steps to train themselves in the new system which has been extended to Goa, this will cause great injustice to the people of Goa.

Dr. M. S. Aney: Goa or Pondicherry?

Shri Daji: Goa and Pondicherry: both. So, sir, these are my points which have to be considered and the grievances of the people redressed at the earliest. Above all else, you must maintain and further strengthen the rule of law which alone is the bedrock of democracy which is pregnant with the social concept and content whereby justice is not denied even to the poor.

श्री यशपाल सिंह : उपाध्यक्ष महोदय, मैं चाहता था कि मैं माननीय विधि मन्त्री को मुबारकबाद दूं लेकिन कोई ग्राउण्ड ऐसी नहीं मिली कि मैं उनको मुबारकबाद दे सकूं । मैंने बहुत देखा साल भर के काम को और मैंने सोचा कि डा० एनक्रूमा तो एक डिक्टेटर हैं लेकिन हमारे माननीय मन्त्री जो एक डेमोक्रेसी के मिनिस्टर हैं लेकिन उनके द्वारा डा० एनक्रूमा से भी ज्यादा सख्त क़दम यहां की जुडिशिएरी को लाचार करने के लिए उठाये गये हैं । यह जो बिल तक़सीम किया गया है जजेज इनक्वायरी बिल इसमें साफ यह लिखा गया है :—

> "The President, on receipt of a report or otherwise is of opinion that there are good grounds for making an investigation into the misbehaviour or incapacity of a judge, he may constitute a special tribunal for the purpose of making such an investigation and forward the grounds of such investigation to the special tribunal."

अब मिसबिहेवियर का मतलब यही होता है कि जो कांग्रेसी वजीरों का कहना न माने । आज तक हमारा यह ट्रैडीशन रहा है कि जजेज लोग हिन्दू बेवाओं की तरह से रहते थे । जैसे हिन्दू विडोज रहती थीं वैसे जज लोग रहते थे लेकिन आज यह हालत है कि मेरे साथ आप एक स्टेट में चलियेगा वहां के चीफ़ मिनिस्टर के पीछे पीछे वहां के हाईकोर्ट का चीफ़ जस्टिस इस तरीक़े से घूमता है जैसे कि वह उनका प्राइवेट सैक्रेटरी हो या पी० ए० हो । किसी भी देश में ऐसी हालत नहीं हो सकती । अगर हम अपनी जुडिशियरी को शुद्ध रखना चाहते हैं तो कम से कम हमें यह वायदा करना पड़ेगा कि उसके मामले में कोई दखल न दे क्योंकि इस कांस्टीटयूशन की गार्जियन जुडिशियरी है । यहां मैं केस की तरफ़ नहीं जाता लेकिन यह हमारे सारे देश के लिए बड़ी लज्जा की बात है कि यू० पी० के साढ़े ७ करोड़ इंसानों के ऐटमौसफियर में यह बात गूंज रही है कि स्पीकर साहब ने जज साहब का वारण्ट कर दिया है और जज साहब ने स्पीकर को गिरफ्तार करने का वारण्ट ईश्यू कर दिया है । यह हालत किसी भी देश के लिए सुन्दर नहीं हो सकती । हमारे वहां डेमोक्रेसी चलती है । ४४ करोड़ इंसानों में से अगर ४३,९९,९९,९९९ आदमी भी उसके खिलाफ हों तो भी एक इंसान केशवसिंह को मौक़ा देना पड़ेगा कि वह अपनी आवाज़ को बुलन्द कर सके और अदालत का दरवाज़ा खटखटा सके. . .

उपाध्यक्ष महोदय : उस केस का जिक्र माननीय सदस्य न करें ।

श्री यशपाल सिंह : मैं केस की मैरिट्स की तरफ़ नहीं जा रहा हूं । मैं तो महज़ जनरल तौर पर अर्ज कर रहा हूं । यह कोई मैरिट का सवाल नहीं है । जब तक कि वज़ीर लोग और कांग्रेसी लोग, रूलिंग पार्टी के लोग मजिस्ट्रेटों से अलग नहीं रहेंगे तब तक हमारा इंसाफ़ सही सही नहीं चल सकना है ।

दूसरा मुझे सख्त ऐतराज़ ऐलेक्शन में है । जो ग्राम पंचायतें और न्याय पंचायतें हैं उन न्याय पंचायतों को वोटों से तय किया जाता है है कि कौन इनका सरपंच बनेगा । मतलब यह होता है कि कि वह पंच जिसका वोट लेकर जाता है उस के लिए उसके दिल में ज़रूर सौफ्ट कोरनर रहेगा । कहीं ऐसा नहीं होता कि जज को इंसाफ़ करने वालों को वोटों से चुना जाय । उसेकी काबलियत और उसके कैरेक्टर को देख कर उसकी नियुक्ति होनी चाहिए । उसका एलैक्शन नहीं होना चाहिए । ग्राम सभा में आज ऐसा हो रहा है कि एक न्याय अदालत में ४-४ क़त्ल इसलिए हो जाते

[श्री यशपाल सिंह]

हैं कि उन्होंने उनको अपना प्वाएंट ऑफ़ प्रैस्टिज बना लिया है । इंसाफ़ को वह लोग भूल गये। अंग्रेज के ख़िलाफ़ हम लोग लड़े थे और अंग्रेजों को हमने यहां से उखाड़ा लेकिन अंग्रेजों ने कभी भी हाईकोर्ट के जजेज के मामले में मदाख़लत नहीं की । लोकमान्य तिलक जो कि हमारे सबसे बड़े लीडर थे वह भी चीफ़ जस्टिस के ख़िलाफ़ दावा दायर कर सकते थे लेकिन कभी अंग्रेज ने कोशिश नहीं की थी कि वह उस मामले में दखल दे । आज सबसे बड़ी दिक्कत यह है कि ऐटमौसफियर में यह बात पैदा हो गयी है कि यह मुखालिफ़ पार्टी का वकील है इसको हाईकोर्ट में खड़ा मत करना । दूसरे देशों में ऐसा नहीं होता है । उन्होंने अपनी डेमोक्रेसी के लिए कुर्बानियां दी हैं । इंगलैंड के वजीर आजम वहां के प्राइम मिनिनिस्टर खुद छोड कर चले जाते हैं । मिस कीलर के एक छोटे से खत से वहां का वजीर आजम खुद ब खुद अपने ओहदे से दस्तबरदार हो जाता है लेकिन यहां हालत यह है कि पंजाब के चीफ मिनिस्टर के खिलाफ तहकीकात हो रही, रोजाना जलुस निकलते हैं, पबलिक में ऐजिटेशन होता है लेकिन फिर भी वह चीफ मिनिस्टर की कुर्सी पर मजबुती से बैठे हुए हैं । आप के इसी कानून के अन्दर एक पुलिस सब इंस्पैक्टर के खिलाफ अगर इनक्वायरी होती है तो पहले उस की पेटी रखवा ली जाती है । पहले उस को ससपेंड किया जाता है । उस को मुअतिल करने के बाद फिर इनक्वायरी होती है । लेकिन जो एक इतना बड़ा सूबे का चीफ मिनिस्टर है उस के खिलाफ इनक्वारी चल रही है जलुस निकलते हैं, जनता में मांग की जा रही है कि वह इस्तीफा दे लेकिन कोई सुनने और देखने वाला नहीं है । इसलिये इन चीजों का इलाज तो तभी हो सकता है जब हम सोचें कि यह डेमोक्रेसी हमारी अपनी है और हमें इसको चलाना है । आज क्या है ? थोड़े से आदमी मुट्ठी भर लोग सताधीश हैं और वे जिस तरह से चाहते हैं कानून को अपनी सहुलियत के लिए तोड़ मरोड़ लिया करते हैं । कानून को मोम की नाक समझ रखा है । आज जब हम कांस्टीट्यूशन को अमेंड करते हैं तो ऐसे ही मालूम होता है जो रुलिंग पार्टी के मफहूम को फिट नहीं करता उसको वह तबदील कर लेते हैं । और जब जी चाहता है कांस्टीट्यूशन में अमेंडमेंट करा लेते हैं । अगर इस तरह से मनमानी करते रहेंगे तो हमारा इंसाफ ओह हमारा कानून नहीं चल सकेगा ।

इलेक्शन का तरीका इतना नाजायज तरीका है कि उस में ग़रीब आदमी, इंसाफ़ करने वाला आदमी और एक ईमानदार आदमी आगे नहीं आ सकता है । मैं ख़ास तौर पर माननीय विधि मंत्री को इसलिए भी कह देना चाहता हूं कि वह जरा कामराज प्लान का भी जिक्र करते हैं । मैं आप के फ़ायदे के लिए कहना चाहता हूं कि कामराज प्लान इस तरह कामयाब नहीं हो सकता । चूंकि जो लोग सफरर्स हैं, जो लोग पीछे पड़े हुए हैं और जो लोग विकटिमाइज्ड हैं, आज तक कोई सलीका ऐसा पता नहीं हो सका है कि वह जा कर अपना इंसाफ़ ले सकें । आख़िर इस कोर्ट फ़ीस के क्या मायने ? एक आदमी का सिर फूटता है, जिस का सिर फूटता है वह दावा दायर करने जाता है, जिसके साथ बेइंसाफ़ी होती है वह दावा दायर करने जाता है और वहां उस से कोर्ट फ़ीस दाखिल करने के लिए कहा जाता है । मेरा कहना यह है कि यह कोर्ट फ़ीस का कानून जो है यह बइंसाफ़ी के ऊपर है । यह अन्याय के ऊपर है, यह अत्याचार के ऊपर है । जिस के साथ बेइंसाफ़ी हुई है अगर उस के पास कोर्ट फ़ीस देने के लिए नहीं है, वह स्टाम्प नहीं लगा सकता तो उसे हरगिज इंसाफ़ नहीं मिलेगा । जिस तरीक़े से सुप्रीम कोर्ट में कोर्ट फ़ीस की जरूरत नहीं है उसी तरह से हाईकोर्ट्स

और छोटी छोटी अदालतों को भी कोर्ट फ़ीस से मुस्तस्ना किया जाय । प्रत्येक नागरिक को इंसाफ़ दिया जाय ।

एक तरफ़ हम कहते हैं कि ग़रीबों का राज्य होगा, किसानों और मज़दूरों का राज्य होगा तो यह कोर्ट फ़ीस वाली बात भी आप को उठानी पड़ेगी क्योंकि मजदूर के पास पैसे नहीं है कि वह इंसाफ़ पाने के लिए कोर्ट फ़ीस दाखिल कर सके । इसलिए कोर्ट फ़ीस को यकक़लम ख़त्म किया जाय ।

15.48 hrs.

[SHRI THIRUMALA RAO *in the Chair*]

इसके साथ ही साथ सब से जरूरी बात यह है कि एलेक्शन में सुधार किया जाय । माननीय मिनिस्टर की बड़ी भारी जिम्मेदारी है । ४४ करोड़ इंसानों की जिम्मेदारी है कि एलेक्शन में सुधार किया जाय । एलेक्शंस में जो धांधलेबाजियां होती हैं अगर उस मे थोड़ा सुधार कर दिया जाय तो बेहतर होगा । किसी भी पोलिंग स्टेशन के ऊपर जहां कि वोटिंग हो रही है, एलेक्शन आफिसर या रिटर्निंग आफिसर को यह हक़ हासिल नहीं होना चाहिये कि वह अन्दर जहां कि वोट डाले जा रहे हैं, जावे । अगर वह अंदर जावे भी तो दोनों पार्टियों के एजेंटों को लेकर अंदर जावे । अब होता यह है कि रूलिंग पार्टी की तरफ़ उनका झुकाव होता है क्योंकि वह समझते हैं कि इन्हीं के हाथ में हमारा प्रमोशन आदि सब कुछ है और अंदर जाकर जहां अनजानों के वोट बिखरे हुए होते हैं उन को वह रूलिंग पार्टी के उम्मीदवार के बक्से में डाल देते हैं । इसलिए क़ानून यह होना चाहिए कि एलेक्शन के मौक़े पर जिस वक्त कि वोट डाले जा रहे हों, उस वक्त कोई भी रिटर्निंग आफिसर या कोई भी एलेक्शन आफिसर बग़ैर दोनों पार्टियों के एजेंट्स को लिए हुए अंदर न जा सके क्योंकि अगर वह अकेला जाता है तो जा कर गड़बड़ करेगा । इसलिए यह लाजिमी है ।

जहां तक सिम्बल की बात है एक तरफ़ हम कहते हैं कि हमारी सकुलर स्टेट है, एक तरफ हम कहते हैं कि धर्म के नाम पर वोट नहीं मांगना चाहिए दूसरी तरफ. यह बैलों की जोड़ी का जो सिम्बल दे रक्खा है यह एक धार्मिक सिम्बल है । हिन्दू विश्वास के अनुसार यह धरती माता बैलों के सींग पर टिकी हुई है । बैल की हिन्दू मात्र पूजा करता है । इस पूजा के चिन्ह को लेकर कांग्रेस इलेक्शन लड़ती है यह चीज अनसैकुलर है । हमारे धर्म निरपेक्ष राज्य के अन्दर यह नहीं होना चाहिये । बैलों का सिम्बल वापिस लिया जाय और एक ऐसा सिम्बल दिया जाय जिस का कि धर्म से कोई ताल्लुक न हो ।

श्री अ० कु० सेन : इस सिलसिले में डिसिजन हो चुका है ।

श्री यशपाल सिंह : जो इलैक्शन पेटीशन्ज चल रहे थे, उन की हालत यह है कि नैक्स्ट इलैक्शन्ज आ रहे हैं, लेकिन उन पेटीशन्ज का फ़ैसला नहीं हुआ है । कई दफ़ा तो ऐसा होता है कि पांच साल के बाद दूसरा इलैक्शन आ जाता है और फिर भी इलैक्शन पेटीशन्ज का फ़ैसला नहीं होता है ।

"जस्टिस डिलेड इज जस्टिस डेनाइड" —अगर जस्टिस में डिले की जायेगी, तो जस्टिस देने से इन्कार किया जायेगा । यू० पी० में—सिर्फ़ एक सूबे में—पैंतीस हज़ार ऐसे केसिज हैं जोकि अनडिसाइडिड पड़े हुए हैं, हालांकि हमारा ला यह कहता है कि सात हफ़्ते में फ़ैसला होना चाहिये, लेकिन चार साल से फ़ैसला नहीं हो रहा है । इसलिए सब से ज्यादा जरूरत इस बात की है कि इन्साफ़ हर एक आदमी को पहुंचे । आज हर एक को इन्साफ़ नहीं पहुंच रहा है । महात्मा गांधी जी ने कहा था कि सच्चा

[श्री यशपाल सिंह]

स्वराज्य तब होगा, जब फ़ाइलें जला दी जायेंगी और मौक़े पर जा कर इन्साफ़ किया जायेगा । आज मौके पर जा कर इन्साफ़ नहीं किया जाता है, बल्कि आज काग़ज को एक मेज से दूसरे मेज तक पहुंचने में दो दो महीने लग जाते हैं । एक ही कमरा है और दोनों मेजों में दो फ़ीट का फ़र्क है, लेकिन फिर भी काग़ज को एक से दूसरे मेज तक पहुचने में दो दो महीने लग जाते हैं ? इस मे किस का नुक़सान होता है ? किसान, मजदूर और ग़रीब आदमी का नुक़सान होता है ।

आज इन्साफ़ महंगा होता जाता है । इस हाउस में कई दफ़ा यह कहा गया है कि कानूनी तौर से ग़रीब आदमियों के लिए वकील का इन्तज़ाम होना चाहिये और वकीलों की फ़ीस मुकर्रर होनी चाहिए । अब हर एक चीज का कोटा है, हर एक चीज पर रेस्ट्रिक्शन है, हर एक चीज पर सीलिंग है, हर एक चीज पर पाबन्दी है, तो यह समझ में नहीं आता कि वकीलों की फ़ीस पर पाबन्दी क्यों नहीं है । वकील लोग चाहे जितनी फ़ीस ले लें । कई दूसरे देश हैं, जहां वकील लोग इतनी फ़ीस और इतना मेहनताना नहीं लेते हैं । उसी तरीके से इस देश में भी वकीलों की इनकम पर सीलिंग होनी चाहिए ।

जजों को कोई ऐसा मौका न दिया कि वे कानून के मामले में मजबूर हो जायें । जब हम यह कहते हैं कि जजों को एक्सटेंशन मिलेगा, जब हम यह कहते हैं कि यह सेन्ट्रल गवर्नमेंट के हाथ में है कि वह जजों को दोबारा बुला ले, जब हम कहते हैं कि यह सेंट्रल गवर्नमेंट के हाथ में है कि वह जजों को दो साल का एक्सटेंशन दे दे और जजों की नियुक्ति कहीं ऊंची जगह पर कर दे, तो इस का मतलब यह होता है कि जजों के दिमाग में कमज़ोरी पैदा हो जाती है, उन के दिलों में बहादुरी और निर्भीकता नहीं रह सकती है, वे अपनी जगह पर बोल्ड नहीं रह सकते हैं । जब मैं सुनता हूं कि एक्सटेंशन दी जायेगी, ५७-साला से ५८-साला किया जायेगा, ५८-साला से ६०-साला किया जायेगा, ६०-साला से ६२-साला किया जायेगा, तो मैं एकदम समझ लेता हूं कि नौजवानों के गले पर छुरी फेरी जायेगी ।

हमारे जो नौजवान हैं, जो फ़ैंश हैंड्ज़ हैं, जो यूनिवर्सिटी से फ़र्स्ट डिविज़न में पास कर के आए हैं, जो यूनिवर्सिटी के रिकार्ड बीट कर के आए हैं, वे तो बेरोज़गार ही रहें, जूतियां चटखारते फिरें और एक्सटेंशन दी जायें उन्हें, जो वज़ीरों के रिश्तेदार हों, जो सरकार के मन्ज़ूरे-नज़र हों, जो किसी तरह से सरकार की मेहरबानी प्राप्त कर लें । इसलिए आवश्यकता इस बात की है कि एक्सटेंशन का सिलसिला बन्द कर के नौजवानों की काबलियत के लिए द्वार खोले जायें । आज नौजवान बेकार घूमते हैं और पुराने लोगों को एक्सटेंशन दी जाती है । अगर सरकार इस का इलाज नहीं करेगी, तो जनता इस का इलाज करेगी ।

सरकार का सब से पहला काम यह है कि वह ४४ करोड़ इन्सानों को यह राइट दे कि वे अपनी बात कह सकें । सरकार कहती है कि फ़ेयर फ़ील्ड एंड नो फ़ेवर, लेकिन क्या फ़ेयर फ़ील्ड एंड नो फ़ेवर कहीं इस देश में है ? सी० बी० गुप्ता साहब जिस कांस्टीट्युएन्सी से खड़े हुए हैं, वहां पर वह चालीस करोड़ रुपये ख़र्च कर चुके हैं । मैं जिस कांस्टीट्युएन्सी से खड़ा हुआ हूं, मैं वहां के किसी भी शख़्स को पचास कट्टे सीमेंट के नहीं दे सका हूं । इस हालत में फ़ेयर फ़ील्ड कहां है ? फ़ेयर फ़ील्ड का मतलब यह है कि इलैक्शन से छः मास पहले ये वज़ारतें मुस्तफ़ी हों । आज इलैक्शन के दौरान प्राइम मिनिस्टर वोट मांगने के लिए जाता है और प्राइम मिनिस्टर की पोज़ीशन से जाता है, चीफ़ मिनिस्टर जाता है वोट मांगने के लिए और चीफ़ मिनिस्टर की पोज़ीशन से जाता है । नतीजा यह होता है कि जनता पर

दहशत ग़ालिब होती है और वह डर कर वोट देती है। किसी भी देश में इस तरह बेइन्साफ़ी नहीं होती है। किसी भी देश में यह नहीं होता है कि सीमेंट के कट्टों के बदले, एजेन्सी के बदले, परमिट के बदले और कोटा के बदले वोट मांगे जायें। अकेला भारत ही ऐसा अभागा देश है, जहां ऐसा होता है। इसलिए ज़रूरत इस बात की है कि इलैक्शन से कम से कम छः महीने पहले वज़ारतें मुस्ताफ़ी हों और काम-चलाऊ सरकार कायम की जाये। तब जा कर देश में सच्चा कानून, सच्ची विधि हासिल हो सकेगी। इस बारे में सरकार पर भारी ज़िम्मेदारी है।

सरकार के अधीन जो अनुवाद, ट्रांस्लेशन होता है, उस में रुपया ज्यादा बहता है, लेकिन काम नहीं होता है। मेरे पास टाइम नहीं है, लेकिन अगर मैं इस रिपोर्ट को पढ़ दूं, तो उस को पढ़ कर हंसी आती है। जिन लोगों ने यह ट्रांस्लेशन किया है, वे सरकार के कृपा-पात्र लोग हैं, उन में काबलियत नहीं है। अगर उन में काबलियत होती, तो ग़लत ट्रांस्लेशन न होता। अगर मैं आप को पढ़ कर सुनाऊं तो आप सोचेंगे कि कानों को अच्छा नहीं लग रहा है।

मैं एक मिसाल दे देता हूं। अंग्रेजी और हिन्दी का भाव अलग अलग है। अंग्रेजी में कहते हैं "डिपुटी केन कमिश्नर"। वहां तो ठीक है, लेकिन जब हम हिन्दी में कहते हैं "उप-गन्ना विकास अधिकारी", तो यह ग़लत है "उप-गन्ना विकास अधिकारी" के मतलब होते हैं कि छोटे गन्ने का अधिकारी—मेरे जैसा काश्तकार जो लम्बा गन्ना पैदा करता है, उस का वह अधिकारी नहीं है। इसका सही ट्रांस्लेशन होना चाहिए—गन्ना विकास उपाधिकारी"।

केवल एक ही जगह ग़लती नहीं हुई, हर जगह गलती हुई है। "उप-शिक्षा मंत्री" के अर्थ हैं प्राइमरी क्लास का मंत्री, बड़ी क्लास का नहीं। वास्तव में यह होना चाहिए "शिक्षा उप-मंत्री"। ये ग़लतियां इसलिए होती हैं कि सरकार के मन्ज़ूरे-नज़र लोग, जो खूंसट हो गए हैं, जो बेकार हो गए हैं, जिन को कहीं सर्विस नहीं मिल सकती है, ट्रांस्लेशन करने के लिए बुलाए जाते हैं, अधिकारी लोग नहीं बुलाए जाते हैं।

अगर माननीय मिनिस्टर साहब कहें, तो मैं बिना तन्ख्वाह के, आनरेरी वर्क कर के दो महीनों में इस को साफ़ कर सकता हूं, इस गंदगी को निकाल सकता हूं, जो ट्रांस्लेशन उन्होंने सौ सफ़हों में लिखवाया है, वह मैं साठ सफ़हों में लिख सकता हूं और सही कर सकता हूं। लेकिन जो मन्ज़ूरे-नज़र लोग हैं, वे न बुलाए जायें।

इन शब्दों के साथ मैं माननीय मिनिस्टर साहब से यह उम्मीद करता हूं कि इलेक्शन के मामले में और ख़ास तौर से हाई कोर्टों के मामले में वह सतर्क रहेंगे और देश को इन्साफ़ की तरफ़ बढ़ायेंगे।

Mr. Chairman: Shri K. L. More.

Shri Radhelal Vyas Ujjain): On a point of order, Sir. The other day a question was raised here that the Chair should call those members who stand up and catch the eye of the Chair. Now an hon. Member on the back seat got up, but he did not get a chance. But an hon. Member who did not stand up has been called. The rule should not be violated by the Chair.

Mr. Chairman: He presumes that the hon. Member caught my eye. But I did not see him.

Shri Radhelal Vyas: The other hon. Member did not get up at all. Only those Members who stood up could catch the eye of the Chair.

Shri Surendranath Dwivedy (Kendrapara): He might have indicated by sitting.

Mr. Chairman: There are certain agreed conventions, agreed to by all the parties here. There is no point of order.

Dr. M. S. Aney: Those who have given cut motions ought to get precedence over others.

Mr. Chairman: But there are certain party rules whereby Congress Party Members do not give cut motions.

Dr. M. S. Aney: I am not talking about any party at all. Those who have given cut motions ought to get precedence over others to speak.

Mr. Chairman: I do not want to discuss this matter now and take up the time of the House. It is for the Speaker to decide. There are certain conventions agreed to by the parties here and they should be respected. Shri K. L. More.

Shri K. L. More (Hatakanangle): Sir, I am grateful to you for giving me this opportunity to participate in the discussion of Demands for Grants relating to the Ministry of Law.

Sir, the Ministry of Law, as you know, is headed by a very distinguished lawyer who claims our highest admiration for him as he did in the field of his profession as an eminent advocate. I will, therefore, be very cautious in some of my observations that I would like to make with your kind permission. When I went through the pages of the Report, I found that the functions of the Law Ministry are wholly of an advisory nature. The main function of the Ministry of Law are to advise other Ministries and Departments of the Central Government on legal and legislative matters. The Ministry has, therefore two Departments, namely, the Department of Legal Affairs and the Legislative Department.

The Department of Legal Affairs deals with advice on legal matters and matters relating to election, the Election Commission and the Income-tax Appellate Tribunal. The Legislative Department deals with the drafting of Bills, ordinances and regulations and the scrutiny of statutes, statutory rules, order, notifications etc. It is also concerned with the Official Language (Legislative) Commission which deals with the planning and implementation of the programme relating to translation of statutes and preparation of a standard legal terminology or use, as far as possible, in all the Indian languages. The work relating to the implementation of the recommendation of the Law Commission and the printing, publication and translation of central laws is also done in this department.

16.00 hrs.

Sir, it is, therefore, obvious that the functions of the Ministry of Law are of routine nature. It lacks dynamism. It lacks initiative in the matter of legislation, which is the very breath of our democracy, the very breath of the doings of our State in all spheres.

I would now like to draw your pointed attention to one or two very important matters in which the Ministry has failed to conform to the spirit of the Constitution. There is a reference to the functions of the Ministry relating to the matters of the Constitution. This is in the nature of the Ministry's advice on the interpretation of the provisions of the Constitution. Further, Sir, we find a reference to the Constitution. This reference also is in the nature of the Law Ministry's responsibility for issuing other important publications like the Constitution of India.

Sir, from these instances, we find that the Law Ministry has paid its restricted attention to our Constitution which is the very foundation of the political, social and economic life of our country.

Now, I would like to draw, very humbly, the attention of the hon. Minister to the Directive Principles of State Policy. Article 37 says:

> "The provisions contanied in this Part shall not be enforceable by any court but the principles

therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws."

The directives lay down the lines on which the State of India should work under this Constitution.

Sir, do we find any indication of this duty which naturally falls on the Ministry of Law, in the working of this Ministry? This is my question. The answer would be quite discouraging in this respect.

The ideal laid down in the Directive Principles is that of a welfare State which aims at social and common good and to secure to all citizens justice, social, economic and political as declared by the very Preamble of the Constitution. Socialistic pattern of society has been declared to be the objective of our planning which conforms to the spirit of Directive Principles. Our Supreme Court has aided the implementation of the Directive Principles in a substantive manner, even in cases where the relevant legislation has been challenged as an inroad upon fundamental rights In the working of our Constitution, thus, the directives have gathered more weight than a mere moral homily.

Therefore, I hope and trust that the Law Ministry would pay its attention to the spirit of the Directive Principles in the Constitution while performing its functions under the Ministry.

Lastly, I would like to pay a tribute to the work of the Election Commission which has contributed a great deal to the maintenance of democratic institutions in our country. But I would like to suggest, in this respect, that the Minister should also consider whether the Representation of the People Act does not also stand in need of certain revision especially with regard to the provisions of election expenses.

With these words, I support the Demands.

Shri U. M. Trivedi (Mandsaur): Mr. Chairman, Sir, I rise to speak on these Demands relating to the Ministry of Law, and when I rise to speak the idea that strikes me is whether our Law Ministry is really a Ministry of Law or whether it is a Ministry only to look into the books. The conception of Law Ministry must be that everything connected with law or, in other words, everything connected with the administration of justice must be in the hands of the Law Ministry. In my opinion, it is a wrong practice in our country that the appointment of judges of the Supreme Court as well as the appointment of judges of High Courts is made through the Home Ministry and the Home Ministry merely acts as a post office. The knowing Law Minister, with all his knowledge at his command, who could easily have become the Attorney-General—at one time there was a dispute as to who should be the Attorney-General—should be the man to decide it. When we have got a man of that type of as Law Minister, it should certainly be left in the hands of the Law Minister to decide as to who should be a judge. I do not say that the Law Minister will take it entirely in his hands, but what I say is that his recommendation should go a long way in guiding the Chief Jusice of India in making the necessary appointments.

Sir, when I was looking into the Constitution of India, I looked into the Concurrent List, and I found that labour and labour disputes is also a subject under the Concurrent List—Item No. 22 in List No. 3. Yet I find that the Government of India has no hand in the appointment of labour tribunals, labour courts or industrial dispute tribunals. Who are being appointed there? Has the Government of India no hand in the matter? Fossils—I use the word 'fossils'—get appointed there.

Mr. Chairman: Where?

Shri U. M. Trivedi: All over India, wherever they are. Some may be very good persons, but the majority of them are like that. At least in Rajasthan and Madhya Pradesh I find that they are so. These fossils, not only they do not work, but they say that their clerk will record the deposition, their subordinate courts will record deposition and they go away for their lunch. This is how things are drifting. It is high time that we apply our mind to this, to the appointment of proper persons, properly selected by the Ministry of Law, to these posts.

Nobody can gainsay the fact that a good deal of deterioration has taken place in the calibre of our judges of the High Courts during the last decade. Things have been said in this House and elsewhere also, even by eminent lawyers and jurists in India, that the stuff is not up to the mark. Why is it so? The reasons are not far to seek. Political colours are taken into consideration. Public prosecutors are appointed and people who can run errands for the Chief Justice of the day get their names recommended. The Home Minister does not seem to have any say in the matter and ultimately the sinecure appointment is secured for them.

When I am taking of the Law Minister, the only department over which he seems to have any say at present is the Election Commission and the election machinery. Even about the election machinery, if a man who has been elected somehow or other gets disqualified in any particular manner, the only way in which any approach can be made for getting some justice or securing some redress is to approach the Governor. It can be done only through the Governor and the Governor alone. But it is a fiction because Governor means the government of the day. If an approach is made for removing any person of importance, or any one who holds the office of Minister, those papers are just shelved, or it takes a long time for the papers to move. It takes sometimes two to three months for an application to be considered by the Election Commission. The procedure in this respect must be such that immediate relief is obtainable, particularly in cases where disqualification is the point at issue, because our law further provides that whoever being a disqualified person continues to sit in a House where he is not entitled to sit will have to pay a fine of Rs. 500 for each day he sits in the House. Under those circumstances, it will be proper that expeditious disposal of such cases takes place.

The other point to which I will draw pertinent attention is the functioning of the Bar Councils in various places. For the last four years, nearly five years, we are having Bar Councils. It started with a bang and much tom-toming was done that we want the Bar Councils to be something like a council of education, we shall have some examination, by virtue of that examination our young law graduates will be enrolled as advocates and so on. But we are yet to see that dream of ours coming true. Why is this lingering going on? Why is it that every time the Advocates Act is being amended, it is said "We will do it in January, we will do it in April and we will do it in July"? Will it go on like this till eternity? Why have the Bar Councils not started functioning in the proper manner? Why is the machinery not geared up for the purpose for which it is set up? It is most essential that legal education must be imparted properly and properly trained personnel must be available to the people who want to spend money for getting legal advice.

Then I come to the point to which a reference was made by Shri Yashpal Singh. I endorse his views. I do not want to be very hard on those persons who constitute the various Commissions. But, then, is the selection made on the basis of merit or on the basis of some political colour?

Shri Hari Vishnu Kamath: Sir, on a point of order. I hope you will agree with me that when my hon. colleague, Shri Trivedi, is speaking, there must be quorum in the House.

Mr. Chairman: Are you sure there is no quorum?

Shri Hari Vishnu Kamath: Your trained eye could easily find it out.

Shri A. K. Sen: It is always ignored except by Shri Kamath.

Shri Hari Vishnu Kamath: Then, amend the Constitution. It is surprising that he is not respecting even the Constitution. Then he has no business to be there.

Mr. Chairman: The bell is being rung—Now there is quorum.

The hon. Member may continue.

Shri U. M. Trivedi: It is our Law Ministry which decides what legislation is to be placed before the House and therefore it will be the duty of the hon. Law Minister to study the effect of the present amendment, a very recent amendment, to the Criminal Procedure Code. We have started this panchayat system, of Nyaya Panchayats. Even the judge is elected and is to be removed by election. A perverse system of administration of law is now obtaining in the villages whereas we had a system of trial by jury in urban areas and in important cities. That jury system was so nice and good and in our country we ought to have the jury system. Now that we are falling back upon the panchayat system, I see no reason why the jury system should be done away with. The reent amendment of the Criminal Procedure Code has gone very far in destroying the jury system. It is clearly incompatible with our present ideas of decentralising power.

Then, I will take the other two aspects and I will close. One is the high amount of court fees which has now become the fashion of realising from litigants. I remember that in some of the native States of India before the merger you could file a suit for any amount on a court fee stamp of rupee one only and you could make any application on payment of one anna only. Now in the present day every application requires at least Re. 1|- stamp; in some High Court Rs. 3|10|- stamp and full court fees are to be recovered. Even the maximum limit which was fixed in some of the old Court Fees Acts is now taken away and full court fees have got to be paid. If a poor man who is a contractor enters into a contract with the mighty Government; his amount due is not being paid and he has run into debts, he has performed his contract and has no money left because the Government does not want to pay him. He will have to file a suit but he has no money to file a suit. If he wants to apply as a pauper, there also the Government machinery works and his pauper application will also be opposed and the pauper application is thrown out. He is given time to file a suit within a month. If he fails to do that, the suit stands dismissed. It is this state of affairs to which I draw the attention of the hon. Law Minister. He would like to get out of this position by saying that the court fees is a State subject. Although court fees may be a State subject, the old Court Fees Act of 1870 is the main Act which is an Act of the Centre. Therefore some amendment of this type must be made or a constitutional provision must be made so that beyond a particular limit no court fees should be levied.

Everywhere this obstacle is to be found, even when we go to the Supreme Court. The idea of having to pay Rs. 2,500|- as security costs as soon as an appeal is admitted frightens away so many people. People have not got Rs. 2,500|- to pay. Although a man has a just cause, he is debarred from getting the remedy. These are small items, no doubt, for the hon. Law Minister to look into; but these are the items which will go a long

[Shri U. M. Trivedi]

way in at least helping the ordinary people in the street in the difficulties which they face from day to day.

Sir, it was suggested by Mr. Daji—I fully endorse it—that this question of rendering legal help to the poor must be considered in all its aspects. It is not sufficient that it must be provided only for scheduled castes and scheduled tribes because some of the scheduled caste people might be I. A. S. officers and they will not need it and some scheduled tribe men also will not need it. But there would be some very poor men who may belong to higher caste but they may be in dire need of help. Because he belongs to a higher caste, he must be crushed down! Though he happens to be poor, he should not get any relief! All over the world, there is a provision for the poor and there is no caste system. Let us assume that we are also heading for it. If we do want that the caste system should not prevail, that this provision on the basis of caste and tribe should be done away with, there must be a provision that if on an economic basis, a litigant demands that he should be rendered proper help, then it is high time that a Poor Aid Society helped by the Government must be brought into picture to help the poor in getting their wrongs redressed.

I will draw the attention of the hon. Minister to page 3 of his report. There is, what they call, a Judicial Section. It reads:

> "This Section deals with all matters connected with the engagement of Government Counsel and the appointment of Law Officers, *e.g.*, Attorney-General, Solicitor-General, Additional Solicitor-General...Matters relating to the appointment, fees, etc., of Arbitrators in disputes to which the Central Government is a party, engagement of Counsel in Central Government cases in Courts and before Arbitrators or Umpires are also the concern of this Section."

When the Central Government goes to this extent, I would like to know from the hon. Minister as to how it is that in the appointment of arbitrators, so far as the C.P.W.D. works are concerned or the Railways are concerned, the Law Ministry is not in any manner consulted and people of dubious antecedents get appointed and results unfavourable to the Government are always announced by such Arbitrators. Therefore, a strong check must be exercised in this regard.

श्री सिंहासन सिंह सभापति जी, अभी मेरे पूर्व वक्ता ने विधि मंत्रालय के सम्बंध में जो बातें कहीं हैं उनके बहुत अंशों से मैं भी सहमत हूं। यह विधि मंत्रालय होते हुए भी विधि के विषयों से बहुत दूर है यह चीज उस बहस से प्रकट हो गयी है जो कि आज प्रातः उत्तर प्रदेश के मामले को ले कर यहां चली थी। विधि मंत्रालय के अधीन जो विषय हैं उन में नवें नम्बर पर यह दिया हुआ है :

> "Enlargement of the jurisdiction of Supreme Court and the conferring thereon of supplemental powers; persons entitled to practise before the Supreme Court; references to the Supreme Court under Article 143 of the Constitution of India."

यानी अगर किसी मामले का आर्टिकल १४३ के मातहत सुप्रीम कोर्ट को रेफरेंस करना हो तो वह इस मंत्रालय को करना चाहिए। आज सुबह की लम्बी चौड़ी बहस के बाद मालूम होता था कि शायद रेफरेंस की नौबत आ रही है। लेकिन गृह मंत्रालय कहता था कि यह रेफरेंस वह करेगा। आपकी तो केवल राय ले रहे हैं। एटार्नी जनरल का सीधा सम्बंध है विधि मंत्री से लेकिन इस मामले में उनकी राय ले रहा है गृह मंत्रालय। रेफरेंस

करने का अधिकार इस मंत्रालय को है न कि गृह मंत्रालय को । आपने अपनी राय आज सदन में दी लेकिन ऐसा लगता है जैसे विधि मंत्रालय गृह मंत्रालय के अधीन हो गया है इस मामले में । ऐसा मालूम होता है कि अपने अधिकार के मामले में यह मंत्रालय समुचित रूप से जाग्रत नहीं है । अगर कोई मामला विधि के सम्बंध में पैदा हो तो उसका सम्बंध विधि मंत्री से होना चाहिए, लेकिन हो यह रहा है कि गृह मंत्री बीच में कूद पड़े और कहते हैं कि इस रेफरेंस को विधि मंत्री न करें । मैं आपको अपने अधिकार की ओर ध्यान दिलाना चाहता हूं । रेफरेंस का अधिकार आप को है । इस मामले में विधि मंत्रालय को, जो विधि विधान बनाने वाला है, दूर रखा जाए यह ठीक नहीं मालूम होता ।

दूसरी बात मैं आपके ध्यान में चैरिटेबिल और रिलीजस एंडाउमेंट्स के बारे में लाना चाहता हूं । इस विषय पर बिचार करने के लिए आपने एक कमीशन नियुक्त किया, बहुत दिनों बाद उसने अपनी रिपोर्ट दी जो कि सदस्यों में वितरित की गयी । जहां तक मुझे मालूम है, उसके आधार पर आप एक बिल भी लाए थे और कुछ दिनों इस बात का बहुत जोर शोर रहा कि इस बारे में कानून बनाया जाएगा लेकिन उस बिल का क्या हुआ क्या कार्यवाही हुई । वह आगे क्यों नहीं चला । क्या विधि मंत्री पर साधु समाज का कोई और जोर पड़ गया । इसके आगे न बढ़ने का क्या कारण हुआ । आज लाखों करोड़ों की सम्पति पर लोग कब्जा किए बैठे हैं जिसका जनता के लिए उपयोग होना चाहिए था । उस कमीशन ने जो बिचार प्रकट किए उनको पढ़ने का मुझे अवसर मिला । उनके सुझाव बहुत उत्तम हैं । उनके ही आधार पर आप बिल लाए लेकिन वह गायब हो गया । अगर इसी प्रकार काम चलेगा तो हमारा बिधि विधान का काम कैसे चलेगा ।

इसी प्रकार संविधान की आर्टिकल ३१ के बारे में आप अमेंडमेंट लाना चाहते थे । लेकिन पता नहीं उसमें क्या हो रहा है उसके लिए विशेष समिति भी बैठी थी । मेरा कहना है कि रिलीजस एंडाउमेंट्स देश में विस्तृत पैमाने पर फैले हुए हैं । अगर उनकी सम्पति का ठीक से उपयोग किया जाय तो देश के बहुत से मसले हल हो सकते हैं । समाज की ओर से इन मंदिरों और मठों को जो इतनी बड़ी सम्पति दी गयी है, इसका उपयोग शिक्षा और ज्ञान के प्रचार के लिए होना चाहिए, लेकिन उसका उपयोग नाच रंग आदि में होता है। मेरा अनुरोध है कि इस सम्बंध में आप जो विधेयक लाए थे उसको रद्दी की टोकरी में न फेंकें, उसको सदन के सामने ला कर पास करावें । देश में इस प्रकार की करोड़ों अरबों रुपए की सम्पति पड़ी है जिस पर कुछ लोग निजी तौर पर कब्जा किए हुए हैं और उससे देश को कोई लाभ नहीं हो रहा है । यह जो धर्म के नाम पर अधर्म हो रहा है इसको हमें रोकना चाहिए ।

इसके बाद मैं आपका ध्यान लीगल एड कमेटी की तरफ दिलाना चाहता हूं । पिछले वर्षों में इस सदन में काफी गम्भीरता के साथ यह कहा गया कि इस दिशा में प्रयत्न किया जा रहा है, आपने कह दिया कि राज्य भी इसके लिए पूरक अनुदान दें तो यह काम हो सकता है । राज्यों की क्या परिस्थिति है मुझे पता नहीं । लेकिन आज तक ये लीगल एड कमेटियां नहीं बनीं । इनके लिए नाम भी मांगे गए थे लेकिन कुछ हुआ नहीं । आज न्याय बहुत मंहगा हो रहा है । अपने प्रदेश का हाल तो मुझे मालूम है कि वहां की सरकार ने न्याय को अपनी आमदनी का एक स्रोत बना लिया है कोर्ट फीस बहुत लम्बी चौड़ी हो गयी है कि बहुत से गरीब आदमी तो उसको दे नहीं सकते । पहले एक एडवोकेट परचा दाखिल करके काम कर सकता था, लेकिन आज उसके लिए भी उत्तर प्रदेश में डेढ़ या दो रुपया देना पड़ता है । आज इतनी कोर्ट फीस और स्टाम्प ड्यूटी बढ़ गयी है कि

[श्री सिंहासन सिंह]

गरीब आदमी तो न्याय प्राप्त नहीं कर सकता। फिर न्याय के लिए किसी तरीके से अदालत तक वह जाये भी तो न्याय का प्रोसीजर इतना लम्बा चौड़ा होता है कि वह एकदम परेशान हो जाता है। आप कचहरियों में जा कर देखें कि वहां पर कितना लेंथी प्रौसैस है। हांलाकि आप ने फौजदारी मुकदमों के लिए अभी अमेंडमेंट किया कि फौजदारी मुकदमा चालू हो तो वह लगातार चलता रहे लेकिन ऐसा होता नहीं है। दीवानी का मुकदमा तो चलता रहना है लेकिन फौजदारी में ऐसा नहीं होता। एक, एक मजिस्ट्रेड अपने यहां इतने फौजदारी के मुकदमे रखता है और होता यह है कि एक मुकदमा फौजदारी का उसके यहां शुरू हुआ नहीं कि उस पर तारीखें पड़नी लगती है और वह लम्बा खिचता जाता है। मजिस्ट्रेड लोग अपने यहां बहुत अधिक मुकदमे रखते है। वह करेगा केवल पांच लेकिन अपने यहां रखेगा ५०। नतीजा यह होगा कि ४५ मुकदमों में १, १, २, २, रुपये पेशकार लोगों से ले कर उन पर तारीखें डाल देगा। इसके लिए भी कोई न्याय होना चाहिए मुकदमे इतने लम्बे न खिचें और उनमें इतनी ज्यादा तारीखें न पड़ें। जो आदमी न्याय के लिए कचहरी में आता है उसको न्याय जल्दी से जल्दी मिले। २ हफ्ते या ६ हफ्ते के अन्दर उनका मुकदमा निवटा दिया जाय। एक मर्तबा शुरू करने पर जब तक उसका फैसला न हो जाय बराबर उसे चालू रखा जाय। फौजदारी अदालत से आप ने न्याय जल्दी मिलने का कानून बना दिया है लेकिन किसी को ६ महीने या साल से पहले वहां से न्याय नहीं मिल पाता है। ग़रीब बेचारा अक्सर तंग हो कर अदालत का दामन छोड़ देता है क्योंकि उसका खर्चा वर्दाश्त करना उसके बूते के बाहर होता है। इसलिए ग़रीबों को लीगल ऐड मुफ्त मिले इसकी व्यवस्था करने की तरफ़ सरकार को ध्यान देना चाहिए। अब जैसा कि अभी यह कहा गया कि ग़रीबी कोई छोटी, बड़ी जाति पर निर्भर नहीं है, बड़ी जाति वाला भी गरीब हो सकता है और छोटी जाति वाला धनी हो सकता है। अब कौन गरीब और कौन गरीब नहीं है इसके लिए जो गांव सभाएं बनी हुई हैं उनके द्वारा यह चीज़ प्रमाणित की जा सकती है। इसलिए मेरा आप से अनुरोध है कि इधर आप ध्यान दें।

दूसरी बात जो होनी चाहिए और जैसा कि अभी तक नहीं की गयी है वह है एक्जीक्यूटिव और ज्यूडिशियरी का सैपेरेशन। न्यायपालिक और कार्यपालिका दोनों को अलग किया जाना चाहिए ऐसी व्यवस्था करना संविधान के अनुसार होगा। प्रत्येक बार हर एक चुनाव के बाद हर एक सदस्य यहां शपथ लेता है कि वह इस संविधान का पालन करेगा और उसका आदर करेगा लेकिन मंत्रिगण जोकि संविधान का पालन करने के लिए अधिकार पाते है उन्होंने आज तक एक्जीक्यूटिव और ज्युडिशिएरी, न्याय और प्रशासन को दूर नहीं किया। दोनों अभी भी एक में मिले हुए हैं। हमारे यहां उत्तर प्रदेश में प्रशासन और न्याय की व्यवस्था को अलग किया गया है। ज्यूडिशिएल मजिस्ट्रेट्स मुकर्रर किये गये हैं। उनके ऊपर एक ए० डी० एम० मुकर्रर किया गया है .....

एक माननीय सदस्य : वह जुडिशिएल मजिस्ट्रेट्स की कौनफिडेंशल रिपोर्ट्स लिखता है।

श्री सिंहासन सिंह : कौनफिडेंशल रिपोर्टस ए० डी० एम० लिखता है। ए० डी० एम० ज्यूडिशिएल मजिस्ट्रेट रखा गया है। हर एक जुडिशिएल मजिस्ट्रेट समझता है कि वह पूरा मजिस्ट्रेट है, जुडिशिएल नाम उसके पीछे बेकार लगा हुआ है। वह कभी जुडिशिएल का ख्याल नहीं रखता और जैसा ऊपर से इशारा होता है वैसा करता है।

दीवानी कचहरियों में मुंसिफ और जज्जेज अगर ग़लत न हो तो मैं कहूं कि वे वहां पर बेकार बैठे रहते हैं। उन के पास काम नहीं है। दीवानी के मुकदमे बहुत कम हो गये हैं

सिवाय कभी कोई डाइवोर्स सूट दाखिल हो जाए तो हो जाए। कोई कैंट्रैक्ट का केस नहीं आता और न ही कोई मार्टगेज का केस रहता है। लैंड रिफार्म्स होने के कारण, डैट ला के कारण जमींदारी के मामले में सुधार होने से, कर्जे के लेने देने के या जमींदारी या जमीन के बारे में मुकदमात अदालतों में बहुत कम हो गये हैं। दीवानी की अदालतें खाली पड़ी रहती हैं। अगर वहां जा कर आप देखें तो वकील और मुहर्रिरों की बनिस्बत मवक्किलों की संख्या बहुत कम रहती है। इसके विपरीत हर साल मुंसिफों की भरती होती है। जब दीवानी कचहरियों में काम नहीं है तो कोई वजह नहीं है कि फौजदारी के मुकदमे उनके वहां फैसले के लिए क्यों न भेज दिये जायें। अभी भी लोगों को इस देश की जुडिशिएरी में विश्वास है और वह समझते है कि वहां से उनको न्याय मिल सकता है लेकिन लोगों का ऐसा विश्वास प्रशासन में नहीं है। मजिस्ट्रेट के बारे में रोज ऐसी दरख्वास्त पड़ती हैं वहां मोल भाव होता है, इधर, उधर चलता है लेकिन दीवानी अदालतें की तरफ अभी ऐसी चीज नहीं आई है।

ला कमिशन ने भी अपनी रिपोर्ट में कहा है कि एक्जीक्यूटिव और जुडिशिएरी का अभी तक सैपेरेशन नहीं हुआ है और हमारे उत्तर प्रदेश में जो यह इस तरह से जुडिशिएरी और एक्जीक्यूटिव को अलग किया गया है उसके लिए उसने यह शब्द इस्तेमाल किये हैं कि यह फ्रौड अौन दी कांस्टीट्यूशन है। उनके यह शब्द हैं कि यह कांस्टीट्यूशन के साथ फ्रौड है। कब तक यह फ्रौड हम करते रहेंगे ? इसलिए आप से अनुरोध है इसे जल्द से जल्द अलग किया जाय या संविधान से वह आर्टिकल निकाल दिया जाय जिसमें यह कहा गया है कि हम जुडिशिएरी और एक्जीक्यूटिव को अलग करेंगे। जब ब्रिटिश गवर्नमेंट इन दोनों को अलग नहीं करती थी और हम बाहर होते थे तो हर दफे कांग्रेस के हर एक सैशन में ऐसा प्रस्ताव पास किया जाता था कि दोनों को अलग करना चाहिए। लेकिन जब से हमारा शासन हुआ पता नहीं कौन सी दिक्कत उसको अलहदा करने में पड़ रही है जोकि अभी तक नहीं किया है। हम भी उसी ब्रिटिश गवर्नमेंट की लाइन पर चल रहे हैं और इन दोनों विंगसको एक दूसरे से दूर नहीं कर रहे है।

इस बात की बहुत चर्चा हुई है कि कि एक आलइंडियां जुडिशियल सर्विस होना चाहिए लेकिन अभी तक इस तरह की एक आल इंडिया जुडिशिएल सर्विस नहीं बनायी गयी है। अभी भी वह एक प्राविंशियल सर्विस है। अंग्रेजो के जमाने मे तो आइ० सी० एस० जो आज भी हैं, उनके जमाने में भी थे तो वे तो सर्वगुण सम्पन्न हैं, वह जज हुआ करते थे और आल इंडिया जजेज सर्विस होती थी। वह चले गये तो अब प्राविंशियल सर्विस हो गयी है। जब मेडिकल आल इंडिया सर्विस है, इंजीनियरिंग आल इंडिया सर्विस है, आई० ए० एस० आल इंडिया सर्विस है, तो फिर इस जुडिशियल सर्विस को ही आल इंडिया सर्विस बनाने में सरकार को क्या दिक्कत है ? उसको ऐसा करने में क्या रुकावट है मेरी समझ में यह नहीं आता। आल इंडिया सर्विस होने से अन्तरदेशिय आदान प्रदान होगा। यहां से मद्रास में वह जायेंगे और मद्रास वाले यहां उत्तर भारत में आयेंगे और इस तरह से एकता का भी भाव पैदा होगा। अगर मद्रास का रहने वाला हमारे यहां आये और यहां का रहने वाला वहां जाये तो जाकर जुडिशिएरी को रिप्रेजेन्ट करेगा तो इस से एकता की भी भावना ज्यादा पैदा होगी। सरकार को इस पर गम्भीरतापूर्वक विचार करना चाहिय।

एलैक्शन सिस्टम के बारे में कहा गया गया है कि यह बड़ा कौस्टली हो गया है। यह बहुत खर्चीला है। लेकिन मैं आप को बतलाऊं कि मैंने बहुत ज्यादा खर्च नहीं किया। यह कौस्टली क्यों हो जाया करता है इस पर मैं आप का ध्यान दो मिनट में दिलाना चाहत

[श्री सिंहासन सिंह]

एक भाई ने कहा कि हम तो चाहते हैं कि समाजवाद और साम्यवाद देश में न आये। इस के लिये दो ही रास्ते हमारे लिए हैं। एक रास्ता है कि चुनाव इतना महंगा कर दो कि बगैर हमारी थैली के चुनाव हो नहीं सके और जो हमारी थैली ले कर चुनाव में जायगा और जीतेगा वह समाजवाद और साम्यवाद की तरफ कम ख्याल रखेगा और वह थैली के बल पर हमारी तरफ आ जायेगा .....

एक माननीय सदस्य : आज वही हो रहा है।

श्री सिंहासन सिंह : जी हां। यही हो रहा है। आज उन के एक मित्र ने हम से पूछा कि आप का अपने एलेक्शन में क्या खर्चा हुआ? एक भाई ने यह सवाल हम से पूछा तो हम ने कहा कि मेरा एलेक्शन में कुछ खर्च नहीं होता। खर्च मैं नहीं करता। जिस को वोट देना हो वह मुझे दे। वोट देना हो तो दे। सन् १९५७ के चुनाव में मेरा १००० रुपया खर्चा हुआ था और आप को यह सुन कर हैरत होगी कि सन् १९६२ के चुनाव में मैंने केवल ३०० रुपया ही खर्च किया है

एक माननीय सदस्य : सन् ६७ के चुनाव में यह भी खर्च न कीजियगा।

श्री सिंहासन सिंह : लेकिन एक भाई ने कहा कि उन का चुनाव में २, ढाई लाख रुपया खर्च हो गया ...

एक माननीय सदस्य : हिसाब उन्होंने क्या दिया?

श्री सिंहासन सिंह : हिसाब तो वह २५००० का ही देंगे।

एक माननीय सदस्य : उन का नाम बतला दीजिये।

श्री सिंहासन सिंह : अब जिस भाई ने मुझे विश्वास में ले कर यह सच सच बात बतलाई उस का नाम मैं कैसे बतला सकता हूं। इसी तरह से मैं समझता हूं कि बहुतों का इस तरह से अधिक रुपया खर्च होगा। उधर जो बैठे हुए हैं राजा और रईस लोग उन्होंने अपने चुनावों में कई लाख रुपये अवश्य खर्च किये होंगे। मैं ने उन से जिन्हों ने इतना खर्च किया कहा कि भाई इतना अधिक रुपया खर्च कर के यहां आने में आप का लाभ क्या है तो उन्हों ने कहा कि उन को कोई डालडा की फैक्टरी जो कि कलकत्ते में बन्द पड़ी थी, वह फिर से चल गयी। एक दूसरे साहब से हम ने कहा कि यह मीडियम कपड़े पर जो एक्साईज ड्यूटी कम हुई तो क्या हुआ तो उन्हों ने कहा कि हमारी एक मिल थी वह पुसा जायेगी। अब इस तरह के लाभ लोगों को यहां चुन कर आने में होते हैं। इसलिये इधर ध्यान देना जरूरी है जिस से आज बहुत से सही आदमी जो कि पैसे के डर के मारे चुनाव में खड़े नहीं हो पाते हैं वह खड़े हो सकें। डा० राजेन्द्र प्रसाद ने इस बात की बड़ी कोशिश की थी कि सदस्य होने के लिये योग्यता की कोई परिधि रखी जाये, लेकिन हम ने ऐसी कोई परिधि नहीं रखी है। मैं समझता हूं कि योग्यता की कोई परिधि होनी चाहिये, ताकि जो लोग सन्सद् के सदस्य कहलाने के लिए आयें, उन में कुछ योग्यता हो और लोग केवल रुपये के बल से या किसी और चीज के बल से सदस्य न बन सकें।

Shri R. Barua (Jorhat): Mr. Deputy-Speaker, Sir, we are again having the annual ritual of discussing the Law Ministry. Year in and year out, the Law Ministry's report is debated but when we look around and beyond we find that the Ministry in the Centre or in the States has not been able to make any impact on the people for which it was originally meant. It is rather symtomatic of the gradual erosion of the rule of law; I

say this with a sense of sorrow. When I look at the report I find that it is nothing more than a mere statement of the functions of the different offices under the Law Ministry. It does not give any perspective idea as to the policy on hand or what is going to be done in the future. Like all human heritages, the rule of law is under constant threat, whether they were in the monarchical days or in the changed conditions of today. Even today we were faced with certain problems which pose serious questions whether we are actually heading towards the rule of law or a process of struggle. The Law Ministry headed by an eminent lawyer like Mr. Sen should make its presence felt and not become merely an appendage to the Government. It is meant for something more, to spread the spirit of the rule of law. In order to sustain democratic rule, there must be the rule of law. But if things are allowed to go on like this, we cannot have it. At different times, the rule of law has acquired different meanings according to the prevailing history of the time or the socio-economic concept or the religious mood of the people. What was the meaning of the rule of law in the 19th century is not the same today. In that respect the meaning of the individual freedom today is not the same as it was when the *laissez faire* atmosphere prevailed in the 19th century. That being so, have we been able to impart the right type of legal education in our institutions from which legal talents are being brought. I submit that the Ministry's hands are tied in this respect. It has got nothing to do with the Ministry of Education. A time has come when the Ministry of Law should also be provided with sufficient jurisdiction to go into that aspect of the question. Otherwise, we cannot have proper type of judiciary which we must have at present. The dynamism of law depends upon the changing concept of socialism as well as economic progress. In our legal institutions we find the same old things being taught. That is necessary, of course, but all the same we have to ensure they know the present trends, how modern mind has got to be interpreted by different judicial bodies. Therefore, it is the imperative need of the day to have some hold, control, over the educational aspect of the matter.

In spite of what we have found in different ages as to the meaning of the rule of law, there is one abiding common aim in all these variants, and that is, the achievement and establishment of the individual against the arbitrary assault of the collective power If our present society cannot protect an individual from the arbitary assault of the collective power, the ideology will completely disillusion us. Therefore, it is all the more necessary, in view of the present context of things, that the Law Ministry should be raised to a higher level and should have a wider perspective.

Coming to the method of reqruitment to the different judicial bodies, I should point out that the Constitution so provides that the high court judges cannot be appointed without the consultation of the Governor. Of course, the Chief Justices are there, but, all the same, through the Governor, the executive can use its influence. I understand that the Law Minister in his reply may say that in no case undue influence is used. But it is the other way round. Anybody aspiring to be a high court judge, who cannot in the normal course expect to become one, will certainly look upon certain favour or influence from the executive. Therefore, the very introduction of the Governor's recommendation for the appointment of high court judges is fraught with ominous consequences. I hope that appropriate measures would be thought out and, if necessary, the Constitution should be so amended as to remove the element of influence by the executive in the matter of these appointments.

Then, coming to the question of standards, I submit that the quality

[Shri R. Barua]

and standard of the judicial machinery at different reaches have very much deteriorated. But I know that the Law Minister will say that it is a matter which is not within his jurisdiction. Therefore, I say once again that if it is not in his jurisdiction, in whose jurisdiction these matters are to be left? Because of the quality which has deteriorated, there has been no proper impact of the modern progressive laws on the people. The result is that there is some sort of cynical approach on the part of the common men. To create a proper atmosphere, it is not only the educational system that should be looked into but also other amenities which should have to be seen: whether they are provided or can be provided or not. There is nobody to look after the minimum amenities of life to the Judges, to the magistracy and other agencies through which the law is being administered today. Therefore, that is one subject on which there should be a comprehensive treatment so that the rule of law can be advanced.

Coming to the legal aid, our Minister, Shri Sen, is very candid; he openly admits that this is the need of the day, but unfortunately, he has not been able to do anything in this respect except in regard to Scheduled Castes and the tribal people. When we talk of legal aid, the question of finance comes, and therein his hands are tied. Then again, it is also a matter for the State legislatures to deal with. There are also the law departments in the States, but they are also equally incompetent, because the Law Ministry is more or less a secretariat for the legal advice and nothing more. They do not have the sympathy either of the Finance department or of the administrative machinery. Therefore, this is an important matter in which the Law Ministry should at least create and set on foot a comprehensive consultation among the different Ministries. Otherwise, however much the present law may be said to be progressive, it would not have the desired effect on the people.

In recent times, there have been so many laws with regard to the land tenure and all other matters, but to get advantage of this and to take the benefit of the law to the lowest rung of the people, this matter of legal aid is very much important. This has also been rightly pointed out by various hon. Members.

Coming to election matters, I submit that the Election Commissioner's office and his service tenure are yet to be determined by an Act of Parliament. I hope the Minister would bring a proper law before the Parliament so that any dispute that may in future arise may be resolved. Similarly, under article 98(2) the Parliament has to make law for the purpose of the secretariat of the two Houses of Parliament. Up till now no law has been brought. I am pointing this out because the controversy may again arise with regard to this aspect of the matter. So, I hope the Law Ministry will bring forward proper measures under articles 324(5) and 98(2).

I also want to know whether the Government has decided when they are going to hold the mid-term elections in Orissa and Kerala, because this matter should not be delayed any further. If anything has got to be done, the declaration should be made right in time.

Lastly, once again I would appeal to the Minister of Law that we want something to maintain the human rights. I would once again remind him of the Universal Declaration of Human Rights adopted in 1948 by the General Assembly of the United Nations:

> "It is essential if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by rule of law."

This has become all the more important after the present developments in our country, as we have found from the debates this morning. I also want to know from the hon. Minister if there is any attempt under consideration to whittle down the powers of High Courts under article 226. There is a rumour that the powers under article 226 may be abridged so far as the other tribunals are concerned. I hope the Minister will reply to that also.

डा० राम मनोहर लोहिया : (फर्रुखाबाद) : उपाध्यक्ष महोदय, विधि मंत्रालय को खर्चा नहीं मिलना चाहिये क्योंकि देश में कानून का राज खत्म हो रहा है और मौज का राज बढ़ रहा है ।

एक माननीय सदस्य : शुरू हो रहा है ।

डा० राम मनोहर लोहिया : शुरू तो पहले हो गया था अब बढ़ गया है और तेजी से बढ़ रहा है । श्री केशव सिंह प्रतीक बन गए हैं उसी लघु मानव के, छोटे आदमी के जो गरीबी का मार खाता हुआ अपने आत्म सम्मान को बचाता है और .....

Mr. Deputy-Speaker: We are not competent to discuss that matter. We are not sitting in judgment over the U.P. Legislature.

डा० राम मनोहर लोहिया : विधि मंत्रालय पर मैं बोल रहा हूं । विधि मंत्रालय का काम है ....

उपाध्यक्ष महोदय : नहीं, नहीं ।

डा० राम मनोहर लोहिया : मैं कोई नाम नहीं लूंगा । कोई भी छोटा आदमी गरीबी की जब मार खाता है और फिर जब वह अपने आत्म-सम्मान को बचाता है तब कानून की भी मार खाने लगता है । एक मदमस्त बहुसंख्या और उस के चाकर विधान सभा में बैठ कर न सिर्फ कानून बनाते हैं बल्कि सजा भी देने लगते हैं । यह बड़ी महत्व की बात है कि हिन्दुस्तान का संविधान कानून बनाने के काम को और कानून को लागू करने के काम को बिल्कुल अलग कर देता है क्योंकि हमारे न्यायालय को सर्वोच्च न्यायालय कहा गया है जो इंगलिस्तान में नहीं है ।

Shrimati Lakshmikanthamma (Khammam): Sir, I rise to a point of order. Can we discuss it here? Does it not amount to a breach of privilege? The State Assembly has passed a certain thing by a majority? Are we competent to discuss it here?

Mr. Deputy-Speaker: I have told him that we cannot discuss it here.

Shri Radhelal Vyas: And, the Law Ministry has nothing to do with it.

डा० राम मनोहर लोहिया : विधि मंत्रालय की बात कर रहा हूं । विधि मंत्रालय का काम है ।

उपाध्यक्ष महोदय : उत्तर प्रदेश विधान सभा में जो बात होती है, उस के बारे में आप नहीं कह सकते हैं ।

डा० राम मनोहर लोहिया : मैं विधि मंत्रालय की बात कर रहा हूं । (हंसी) । जो चाहता हूं कहूंगा । क्या यह भी कोई तमाशा है ? क्या यहां बहुसंख्या मेरी जबान को बन्द करने की कोशिश करेगी ? यहां पर भी आप देख रहे हैं ....

Mr. Deputy-Speaker: You cannot speak on what happened in the U.P. Legislature.

डा० राम मनोहर लोहिया : मैं उत्तर प्रदेश को बिल्कुल छोड़े देता हूं । मैं एक सिद्धान्त की बात बता रहा हूं । अगर कहीं पर किसी सभा में, समझिये जर्मनी की या इंगलिस्तान की विधान सभा में इंगलिस्तान

[डा० राम मनोहर लोहिया]

को छोड़ दीजिये वह तो बहुत वाहियात मुल्क है जहां बहुत से लोग समझते हैं कि हाउस आफ कामंज है, लेकिन वहां पर हाउस आफ लार्डस् सब से बड़ा न्यायालय है, वहां पार्लियामेंट में कुछ खिचपिच हो जाती है न्यायपालिका की, लेकिन अमरीका में सुप्रीम कोर्ट सब से बड़ा न्यायालय है। अगर कोई आदमी कहे कि अमरीका के सैनेट और अमरीका के हाउस आफ रिप्रिजेन्टेटिव को अधिकार है किसी को सजा देने का, तो लोग उस पर हंसेंगे। आप छोड़ दें। हिन्दुस्तान की लोक सभा और उत्तर प्रदेश की विधान सभा को। मैं कहना चाहता हूं कि कहीं किसी विधान सभा में अगर एक पागल बहुमत किसी आदमी की सुरक्षा, जान की सुरक्षा को खतरे में डालता है और उस की आजादी को ....

श्री क० न० तिवारी (बगहा) : प्वाइंट आफ आर्डर, सर। एक विधान सभा के बहुमत को पागल कहना कहां तक उचित है ?

Mr. Deputy-Speaker: The hon. Member may please withdraw the word *pagal*. He cannot call a legislature *pagal*.

डा० राम मनोहर लोहिया : मैं सिद्धान्त की बात कह रहा हूं। किसी एक बहुमत को अगर आप ने समझ लिया है तो उस के लिए मैं बता रहा हूं कि ....

उपाध्यक्ष महोदय : आप इस तरह से...

डा० राम मनोहर लोहिया :

I said that if a mad majority in any legislature takes it into its hands....

Mr. Deputy-Speaker: Everything is passed by a majority in a legislature. You cannot call a legislature *pagal*. The hon. Member may please withdraw that word.

Shri Tridib Kumar Chaudhuri (Berhampur): Sir, I rise to a point of order. Dr. Lohia was just illustrating a hypothetical case. He was saying that if in a legislature a mad majority takes a wrong decisions. That was a hypothetical case that he was illustrating. He was not referring to any particular legislature in the country. He is perfectly entitled to illustrate a hypothetical case.

Mr. Deputy-Speaker: He is dealing with a particular case, Shri Chaudhuri.

डा० राम मनोहर लोहिया : यह बिल्कुल नहीं है। इस के ऊपर आप बहस कर लीजिये यह बिल्कुल नहीं है। आप देखिये।

Shri U. M. Trivedi: I will make one submission. I have got no bias for or against Dr. Lohia. All that he is saying is in general terms. He is not saying that this majority is *pagal*. His version is that any majority which acts in this manner is *pagal*. He does not talk about this majority.

The Minister of Law (Shri A. K. Sen): The innuendo is quite clear.

Shri U. M. Trivedi: There is no insinuation about anybody.

Mr. Deputy-Speaker: I wish such expressions are not used.

श्री राम मनोहर लोहिया : सब की अपनी अपनी जबान है, सब की जबान अलग अलग है। जबान के ऊपर आप इतनी रोक न लगायें। आप खाली देखिये कि मैं कहीं किसी कानून का उल्लंघन कर रहा हूं या नहीं। मैं एक मिसाल देता हूं। हम चालीस करोड़ हैं। इन में से ३९ करोड़ ९९ लाख ९९ हजार और ९९९ आदमी अगर एक राय हो जायें किसी मामले में और मैं अकेला पड़ जाऊं तो भी मेरी चाहे जो राय हो, सब कुछ हो, लेकिन जब तक मैं अपनी राय पर दृढ़ हूं और किसी कानून का उल्लंघन नहीं करता हूं, तब तक इन ३९ करोड़ ९९ लाख और ९९९

आदमियों को कोई हक नहीं है कि वे मेरी जान की सुरक्षा को खतरे मे डाल दें या मेरे सम्मान का, मेरी इज्जत का हनन करें और अगर वे ऐसा करेंगे तो मैं उन को पागल कहूंगा ।

आज सोक्राटीज को पागल कहा गया है या उस समय की एथेन्स की जनता को जिस ने सोक्राटीज को फांसी लगाई थी । वह तो अकेला आदमी पड़ गया था जब वक्ती तौर पर हम समसामयिक दुनिया में कोई चीज अपनी आंखों के सामने देखते हैं तो चिढ़ने लग जाते हैं । आज दो ढाई हजार वर्ष बाद सारी दुनिया कहती है कि समझदार, बुद्धिमान और बड़ा ज्ञानी आदमी था, और उस वक्त की एथेन्स की जनता, जिस ने उस को फांसी की सजा सुनाई थी वह पागल थी । यह बहुत बड़ी बातें हैं। उपाध्यक्ष महोदय, यह कोई उत्तर प्रदेश या दिल्ली से सम्बन्ध नहीं रखती है । यह चीज मैं आप के सामने रखना चाहता हूं कि विधि मंत्रालय का पहला काम है कि वह आदमी को, एक अकेले और छोटे, लघु मानव को हिन्दुस्तान में सुरक्षा दे । जान की सुरक्षा और दूसरे प्रकार की सुरक्षा जो कि हमारे संविधान की धारा २० और धारा २१ में लिखी हुई हैं । जब यह सुरक्षायें किसी आदमी को नहीं मिलती तो मैं कहूंगा कि यह राज कानून का राज नहीं है, यह मौज का राज हो गया है और मौज में चलते हुए मैं विधि मंत्रालय को एक पैसा देना नहीं चाहता ।

17 .00 hrs.

Shrimati Lakshmikanthamma: Sir, again I would like to raise a point of order. Whether he is referring to a particular Assembly or not, if he is referring to the Assemblies as a whole, it is a breach of privilege of any Assembly.

Mr. Deputy-Speaker: Order, order. There is no point of order. He calls this Government *"Mauj ka Raaj"*.

Shrimati Lakshmikanthamma: Sir, in the eyes of mad people all are mad people.

Shri S. M. Banerjee: That should be expunged.

डा० राम मनोहर लोहिया : अब मैं क्या कहूं, बनर्जी साहब, आप जानते हैं . . . .

श्री रामसेवक यादव : क्या यह इंटरप्शन चल रहे हैं ।

डा० राम मनोहर लोहिया : चलने दो । यह हमेशा से दुनिया का नियम है कि जो आदमी सही होता है वह अपने जमाने के लिये पागल हुआ करता है लेकिन इतिहास तय करता है कि कौन पागल है ।

विधि मंत्री जी को मैं याद दिलाऊंगा कि किसी वक्त बेकन ने कहा था कि जज लोग शेर होते है लेकिन शेर तख्त के नीचे । जब मैं कहीं भी किसी जगह किसी एक जज को देखता हूं जो कोशिश करता है कि वह तख्त के नीचे वाला शेर न रहे बल्कि तख्त के बगल में बैठा हुआ शेर रहे तो मेरी तबियत खुश होती है, और आज मैं अभिमान के साथ कहता हूं कि हमारे देश में इस तरह के जज होने लगे हैं ।

इन सब चीजों पर जब मैं सोच विचार करता हूं कि इन्सान, अकेला इन्सान, आज चारों तरफ थपेड़े खाता है, उसकी कोई हैसियत नहीं है, तब मुझे यह भी कहना पड़ता है कि आज बड़े आदमियों की इज्जत अपने देश में इतनी बढ़ गई है कि अगर वह कत्ल भी कर देते हैं, और उनको लम्बी लम्बी सजायें भी मिल जाती है, तो भी सरकार उनकी सजाओं को आधी भुगत जाने पर भी, या कम भुगतने पर भी, माफ करती है और उनको छोड़ दिया करती है । किस तरह से हम कानून के प्रति लोगों के मन में इज्जत और प्रतिष्ठा बढ़ायेंगे अगर ऐसी सूरत चलती गई । बड़े आदमी की खराब से खराब अपराध करने पर भी, कोई बड़ा अफसर है, बड़ा आदमी है, उस की बड़ा से

[डा० राम मनोहर लोहिया]

बड़ा अपराध करने पर भी, पहले तो गिरफ्तारी नहीं होती और अगर गिरफ्तारी भी होती है और सजा भी हो जाती है तो वह छूट जाया करता है जब कि छोटे आदमी के लिये कानून का सहारा नहीं रहता ।

इस सम्बन्ध में जो देर वाली बात श्री सिंहासन सिंह जी ने उठायी थी मैं अपने अनुभव और वैसे भी बहुत जोर के साथ कहना चाहता हूं कि आज हिन्दुस्तान में केवल इसलिये कि न्याय देने वाले लोगों की, खास कर जो जिला स्तर के न्याय देने वाले लोग हैं, मुकदमों को आगे बढ़ा देने की आदत सी पड़ गई है, किसानों के अरबों रुपयों का नुकसान हो जाता है । उनसे कह दिया जाता है कि फलाने दिन अदालत में आना । उनके आने का खर्च, उनके काम का नुकसान, अगर इन सब का हिसाब लागाया जाय तो अरबों का नुकसान हो जाया करता है । छोटे आदमी की इस देश में बहुत कम इज्जत रह गई है, उसके सुभीते का बहुत कम ध्यान रक्खा जाता है ।

इसी तरह से आज अपने देश में कत्ल के बारे में हालत है, और मैं एक, दो, दस आदमियों की कत्ल की बात नहीं कहता हूं, आज देश में झुंडों का दिन दहाड़े कत्ल हो रहा है । विधि मंत्रालय कह सकता है कि इससे हमारा क्या मतलब । लेकिन आखिर संविधान की धारा २० और २१ हिन्दुस्तान के हर आदमी के लिये है, और अगर ऐसी स्थिति पैदा हो जाये जिसमें सैकड़ों की तादाद में लोग मरने लग जायें, वे हिन्दू हैं या मुसलमान हैं इसको छोड़ दीजिये, लेकिन सैकड़ों की तादाद में दिन दहाड़े सड़कों पर लोग मरने लग जायें तो कहां है संविधान की धारा २० और २१ । वे क्यों मरते हैं इसका संबंध ढूंढना होगा पड़ेगा । सब से पहले मैं यह कहना चाहता हूं कि कानून और व्यवस्था की जड़े जो लोगों के दिमाग में हुआ करती हैं उन जड़ों को हिला दिया जाता है, और इस मामले में माननीय भारत सरकार कानून और व्यवस्था की जड़े जो लोगों के दिमागों में है उनको हमेशा हिलाया करती है । आये दिन जो इस समय देश की जनता है उसको भड़का दिया जाता है, कभी सीमा उल्लंघन की बात कह कर, कभी पाकिस्तान के हिन्दुओं की बात कह कर । उन का मन भड़का दिया जाता है, धड़कन हो जाती है और कार्य सम्पन्न नहीं होता तब फिर लोगों की तबियत होती है कुछ करने की, धरने की । मैं विधि मंत्रालय को सलाह दूंगा कि वह इस मामले पर अच्छी तरह से सोच विचार करे कि किस तरह से कानून और व्यवस्था की जड़ों को फिर से लोगों के मन में, हिन्दुओं के मन में, जमाया जाये नहीं तो नतीजा क्या होगा कि पाकिस्तान में हिन्दू मरेंगे, यहां की भारत सरकार कुछ करेगी नहीं, लोगों को खाली भड़का देगी, और तब हिन्दुस्तान के हिन्दू मुसलमानों को काटने लग जायेंगे । इसलिये मैं यह आरोप लगाना चाहता हूं कि अगर सच पूछिये तो विधि मंत्रालय की सब से बड़ी जिम्मेदारी है हिन्दुस्तान की सड़कों पर मुसलमानों के कटने की, और भारत सरकार की भी । इस तरह कानून और व्यवस्था के बारे में लोगों के दिमागों में जो जड़ें हैं उन्हें मजबूत करना बहुत जरूरी हो गया है । जो हमारे कानून है, अगर आप उनकी धाराओं की तरफ ध्यान देंगे, खास तौर से एक कानून की धारा के बारे में मैंने बड़ी कोशिश की कि वह मिटाई जाये । वह फौजदारी की दफा १०९ है जिसमें हर किसी को पकड़ कर बन्द कर दिया जाता है जेल में । मैं समझता हूं कि इस वक्त कम से कम २० या ३० हजार आदमी इस दफा में जेलखानों में बन्द होंगे । मैं आपसे अर्ज करूं कि यहां पर ऐसा मामला है कि गरीब आदमी, लघु मानव के ऊपर यह सजाये आती है, बड़े आदमियों पर नहीं । लघु मानव होता है, शहर में काम ढूंढने जाता है, शहर

में उसका कोई रिश्तेदार नही है और १० या ११ बजे रात तक सड़कों पर घूमता है। मान लीजिये कि उससे पुलिस वाले से अदावत हो गई या उसके शान, सम्मान में बट्टा लग गया, तो उसको पकड़ लिया जाता है। एक लोहे की छड़ होती है एक दियासलाई होती है और एक मोमबत्ती होती है।

श्री स० मो० बनर्जी : एक ब्लेड भी होता है।

डा० राम मनोहर लोहिया : एक ब्लेड भी होता है। वह शायद आज जरूरी नहीं रह गया है। इन तीन चार चीजों को लेकर उसको फौरन साल छः महीने के लिये बांध दिया जाता है। एक एक लोहे की छड़ों से ५०, ५०, ६० ६० और ७० ७० आदमियों को जेल भेजा जा चुका है। सब लोग जानते हैं कि झूठ का बाजार खुला हुआ है, लेकिन फिर भी फौजदारी की दफा १०९ को अब तक कानून में रक्खा गया है। वह पुराने जमाने में, जब कि हिन्दुस्तान में अंग्रेज का राज था, है। आज हिन्दुस्तान में जो अमन चैन है, कानून और व्यवस्था है, उसकी जड़ कहां है। विधि मंत्री साहब इस प्रश्न पर गौर करेंगे कि कौन सा हिन्दुस्तान में अमन चैन है, कौन सा अधिकार है और कौन सा तत्व है, उसका क्या कारण है। तीन चार तत्व हैं जो हमारे देश में कानून और व्यवस्था को कायम रखते हैं, शायद अंग्रेज के जमाने से। एक तत्व है गुंडे। गुंडे कानून और व्यवस्था को कायम रखने के लिये आज भी हैं। दूसरा तत्व है पुलिस और तीसरा तत्व है बड़े आदमी क्योंकि गुंडे और पुलिस मिल कर ऐसी कार्रवाइयां करते हैं जिससे कि बड़े आदमियों को कोई नुकसान न पहुंचे। इसलिये बड़े आदमी फिक्र नहीं करते, वे गुंडों के काम में दखल नहीं डालते। गुंडे और पुलिस वाले मिल कर साधारण आदमियों के और छोटे आदमियों के जीवन में दखल डालते हैं, उनको तंग करते हैं, उन को लूटते हैं और जो कुछ उनके गा में होता है उस तरह की कानून की व्यवस्था चलती है और बड़े आदमी मजे से अलग से अपने जीवन को एक सुरक्षित द्वीप जैसा बनाए हुए हैं, और उसमें अपनी जिन्दगी चलाया करते हैं। जब तक इस तरह की व्यवस्था को न तोड़ोगे, हो सकता है कि गड़बड़ी पैदा हो क्योंकि एकाएक गुंडों को, जो कि अपने कानून और अपने व्यवस्था का पाया बनाये हुए हैं, अगर हटाया जाता है तो गड़बड़ी जरूर पैदा होगी और जो पुलिस वाले उनके साथ रहने के आदी हो गये हैं वे भी गड़बड़ करेंगे। लेकिन जब तक इस गड़बड़ी का सामना करने के लिये सरकार तैयार नहीं हो जाती, जब तक पुलिस, गुंडों और बड़े आदमियों के इस त्रिकोण को तोड़ने के लिए सरकार तैयार नहीं हो जाती, तब तक हिन्दुस्तान में कानून और व्यवस्था किसी तरह से चल नहीं पायेगी।

अब मैं आपसे कुछ छोटी मोटी बातें कह कर समाप्त करता हूं।

यहां दिल्ली में यह हालत है कि अगर किसी पढ़े लिखे आदमी से जमानत ली जाती है तो उससे अंगूठे का निशान करवाया जाता है। इस मामले में मेरा अपना खुद का अनुभव है। इसी कांग्रेस सरकार के मातहत पांच आदमियों ने मुझे जबरदस्ती पकड़ कर--एक आदमी तो मुझे पकड़ नहीं सकता था--मेरे अंगूठे का निशान लिया क्योंकि मैंने दस्तखत करने से इन्कार कर दिया था। उन्होंने सोचा कि अंगूठे के निशान से काम चल जाएगा। इस तरह से इस विधि मंत्रालय का काम काज चल रहा है, इस पर आप ध्यान दें। जब तक आप देश में व्यक्ति की सुरक्षा नहीं कर सकते तब तक आपको सफल नहीं कहा जा सकता और हमारे विधि मंत्री इस मामले को जानते हैं, लेकिन अंग्रेजो के इलाके तक ही। मैं कहना चाहता हूं कि सिर्फ अंग्रेजों ने ही कानून नहीं बनाया रूसियों ने भी कानून बनाया है और जरमन आदि ने भी कानून बनाया है। लेकिन

[डा० राम मनोहर लोहिया]

हमारा दिमाग तो केवल अंग्रेजी में ही जकड़ा रहता है । और दुनिया में क्या हो रहा है यह देखते ही नहीं क्योंकि दूसरी खिड़कियां खुली नहीं हैं । मैं कहता हूं कि आप अध्ययन करें कि किस प्रकार रूस में न्याय किया जाता है, किस प्रकार जरमनी में न्याय किया जाता है । आपको देखना चाहिए कि अमरीका में किस प्रकार न्याय किया जाता है । वहां के सर्वोच्च न्यायालय ने हाल में कुछ अच्छे फैसले किए हैं । यह तभी हो सकता है कि जब अंग्रेजी का खातमा हो और हमारे दिमाग की खिड़की खुले । फिर भी मैं कहता हूं कि जितना हो सके न्याय और व्यवस्था को सुधारने का प्रयत्न किया जाना चाहिए ।

और अन्त में तो मैं यह कहना चाहता हूं कि इस विभाग को एक पैसा नहीं देना चाहिए ।

Shri N. C. Chatterjee (Burdwan): Mr. Deputy-Speaker, Sir, I am generally a strong critic of the Government but I must admit that some of the observations and criticisms made about the Law Ministry are not quite fair. They are based upon a misconception of the functions of the Law Ministry.

Sir, when I came to this Parliament in the year 1952, I remember I had to attend the first meeting of the Business Advisory Committee—I was then representing a Party—and when I pressed that there must be some allocation of time for the Law Ministry, the Parliamentary Affairs Minister almost fainted. He said, "Nothing like that has happened in the history of the Legislature; never has there been a debate on the Law Ministry. What is this new innovation Mr. Chatterjee is going to introduce?". After a good deal of discussion, the matter was referred to the Prime Minister and I am happy that ultimately there was some allocation made for the discussion of the Law Ministry and the Prime Minister said, "Now that Mr. N. C. Chatterjee is here, I am afraid we must make some allocation for that".

Sir, I stood up here in this House and I made a point which I am repeating today after twelve years—I am sorry that it has not yet been translated into practice—and it is this: Why should the judiciary be not under the Law Minister? What is the point of having a man of the forensic attainments and legal talents of Mr. Sen as the Law Minister of India and not entrusting him with the important task of looking after the judiciary of India? Deliberately and consciously, you know, Indians were made Law Ministers during the British regime. Lord Sinha was the first Law Minister, then came another man from Bengal and there was a general saying in Delhi that Bengal was producing jute and Law Ministers in India! But whatever it is, because Indians were made Law Ministers and because Indians had to be given some Cabinet portfolio, they did not place the judiciary under the Law Minister. If the Prime Minister had been here today, I would have pressed on him that that ignoble British tradition should go. I pressed Dr. Katju who was then the Home Minister, "Why do you stick to this position of the old British times?" They deliberately did not entrust the administration of the judiciary to an Indian and, therefore, they kept it under the Home Minister who was always a Britisher. I think, in independent India that outlook should go, that outlook should be completely renovated and there should be judiciary completely under the Law Ministry. If that had been done, I am quite sure the ignoble crisis in another State, U.P., which is a great shock to the rule of law and which is greatly distressing everybody who wants fair administration of justice and wants that the judiciary should have a very high status in our

body politic, would not have happened. Possibly, he would have arranged for a Presidential reference to the Supreme Court and that would have avoided all the trouble. But I am pressing today that this should be done.

I had also made one other suggestion. I am very happy that the then Law Minister, Shri C. C. Biswas, who had been a judge of the Calcutta High Court and was a distinguished lawyer had accepted my suggestion. I had pressed for the appointment of a law Commission and that suggestion was accepted; the Law Minister then stood up and said 'I accept the suggestion of Shri N. C. Chatterjee'. I am today sorry that although the Law Commission has been appointed and it is functioning for so many years, yet, many of the statutes have not been renovated. I am slightly disappointed at their output and their work. I wish the Law Minister would give some more directives so as to galvanise the Law Commission into a better organisation. At least those statutes like the Indian Contract Act and other out-moded statutes which require renovation, having regard to the progress of events, having regard to the tremendous change in the evolution of commercial law should now be put on a proper footing. I hope that something will be done.

The third thing that I want to say is that after Sir Tej Bahadur Sapru who was the Law Minister, absolutely nothing has been done to secure expedition in the administration of justice. You would remember that Sir George Rankin who ultimately was the Chief Justice of the Calcutta High Court was made the chairman of an important committee, and the Rankin Committee made very important recomendations for expediting the disposal of cases, and that led to great relief. Now, I am satisfied that the time has come for the Law Minister to appoint an all-India Commission. There is nothing more important, and nothing more urgent than to maintain the rule of law in proper perspective. There are so many disruptive forces now in operation in India. So many centrifugal forces in operation. But there is one thing, namely the rule of law, one Civil Procedure Code and one Cirminal Procedure Code, which is a great synthetic force, and this synthetic force should be kept up and should be properly worked out so as to maintain the integrity of India intact. Therefore, I am suggesting that Shri A. K. Sen as the Law Minister should now appoint an all-India Commission for securing expeditious justice. It is absolutely clear that that can be done.

There is a good deal of justification in the criticism of my hon. friend Shri Sinhasan Singh, Dr. Ram Manohar Lohia and others who spoke. There is regrettable delay. Shri A. K. Sen and I had been to Moscow as members of the Indian lawyers' delegation. It is impossible for us to copy, and we do not want to copy also, all that happens there. But after Shri A. K. Sen came away, I was taken to a people's court in Moscow, and that court was dealing with a very important industrial dispute. After the case was over, the Chief Judge sent for me. I went into the chamber. The Chief Justice had known that I had been associated with the administration of justice in India. And she was a lady. She asked me 'Mr. Chatterjee, how do you like our administration of justice? You saw that.' I said 'I am very happy to see that although the State is the employer, still you have done justice to the worker'. Then, I said to her 'May I look at your plaint?'. She said 'Why?'. I said 'I want to know when the suit was filed.' You will be amazed to know that the suit was filed on the 19th Novemer and the case was finished on the 22nd November.

Shri Ranga: That is people's court.

Shri N. C. Chatterjee: Then, I asked 'How is this possible?'. She said 'On

[Shri N. C. Chatterjee]

the 19th November, I got it; I immediately ordered my registrar to telephone to the department concerned, and the department sent their man, and took a copy; I then ordered that the written statement should be filed the next day; and today, the case is over'. Then, she added 'Mr. Chatterjee, let me know how much time you take in your courts in similar cases?'. I am sorry that I could not tell her the truth. I had to say 'As many months as you took days'. I could not say 'as many years as you took days'. I was appearing in an important industrial dispute case yesterday in the Supreme Court, and believe me when I say that it started in 1958 and it was disposed of yesterday, and the judgment possibly is coming in a few days. Therefore, there is a lot to be done, and I hope Shri A. K. Sen will do something and take constructive steps in this matter.

There is one other thing that I would like to mention. I had been to Aligarh last Saturday to argue an important election case. There, the Bar had invited me to give them a talk on some subject, and there I was amazed to know that a number of lawyers were starting a hunger strike this week in Aligarh because of the impossible corruption which was going on in the courts there. It is an absolute scandal—the corruption is going on. I know that the Chief Justice of India feels strongly on this subject. I was present in Patna when he spoke on this very subject at the Legal Symposium. I am quite sure Shri A. K. Sen is of the same opinion. I was invited by the Home Minister along with other friends to weed out corruption. It is the *Brashtachar Nivaran Samiti*. Whatever it is, it is high time that the *Brashtachar Nivaran Samiti*. should be done immediately.

We all know that most of these dilatory tactics and strategy are being resorted to by the lower staff, the administrative staff. Something should be done about it. I hope if this All India Commission is appointed for securing expeditious justice, they will also tackle this problem and take effective steps. That will be an eye-opener and that will also set things right.

Shri D. C. Sharma: Has the hunger strike started?

Shri N. C. Chatterjee: They are starting.

Shri S. M. Banerjee: I support the points mentioned by my hon. friend, Shri Daji, and others. This morning a question was raised by my hon. friend, Shri Nath Pai, about the constitutional crisis in U.P. The Speaker in his wisdom also said that there was a constitutional crisis in U.P. But it is really most unfortunate that when everybody admits today that there is a constitutional crisis, this august House which can amend the Constitution, cannot discuss it because the matter has been referred to the Attorney-General.

I am not going to discuss the merits of the case.

Mr. Deputy-Speaker: Nor can we discuss the Speaker's ruling.

Shri S. M. Banerjee: He said that there is a constitutional crisis—I am repeating it.

I am only concerned with one thing, that we have to establish a sort of convention either in this House or outside and we must come to a decision as to which is supreme, the Constitution or the Legislature.

श्री कछवाय (देवास) : उपाध्यक्ष महोदय, हाउस में कोरम नहीं है ।

Mr. Deputy-Speaker: The bell is being rung—Now there is quorum. Shri Banerjee.

Shri S. M. Banerjee: The same question was raised by Shri Karanjia. I remembtr in his reply he said that

we have a written Constitution in our country and this Parliament is a creature of that Constitution. This is really a very serious matter. When I speak on it, I am aware of the rights and privileges of Members including myself.

Shri D. C. Sharma: He is not at all aware.

Shri S. M. Banerjee: So I would request the hon. Law Minister: let the Attorney-General address this House so that our mind may also be clear, and this sort of constitutional crisis which has cropped up in U.P., and which may be followed in other States, does not take place.

Imagine a situation in which the Marshal of this House is going to arrest a Supreme Court Judge.

An Hon. Member: He is ready to arrest you now!

Shri S. M. Banerjee: The Marshal of the U.P. Assembly is really going today, he must have gone, to arrest the High Court Judges, and an orderly of the High Court to the Speaker of U.P. Assembly to arrest him. Tomorrow there will be two more privilege issues for contempt against that particular orderly of the High Court who has gone to the Speaker, and the Marshal of the Legislative Assembly. So, I cannot imagine what is happening in U.P. today. We should take it more seriously. This particular case reminds me of the American freestyle wrestling at a political or democratic level, one man fighting against another. So, there should be a decision, and it is high time that the Centre intervened because, according to the Constitution....

Mr. Deputy-Speaker: He is indirectly going into the merits of the case.

Shri S. M. Banerjee: Can I not demand the intervention of the Centre?

Mr. Deputy-Speaker: Do not deal with the merits of the case. That you can do when the motion comes before the House.

Shri S. M. Banerjee: My argument is only based on the observations made by the Law Minister and the Home Minister.

Mr. Deputy-Speaker: We are not discussing that issue here now. We are on the Demands of the Law Ministry.

Shri S. M. Banerjee: The second point is about free legal aid to the poor. Many promises have been made by the hon. Law Minister in this House, and I know that some of the Bar Associations forwarded to the Law Minister the names of certain good advocates who really want to fight for those who are poor and who cannot possibly afford to pay to get justice. I wold like to know specifically from the hon. Minister what concrete steps have been taken in this direction. It is high time that some legal help was given to those for whom it has become impossible to get justice, to whom it is practically denied. Though justice can be made available to them, because of their financial condition, it is very difficult for them to get justice. If there is a litigation going on about land, the person must sell a patch of his land and go to the court of law to see that the other patch is saved from a big zamindar. This is the tragedy of this country.

Then, about the separation of the judiciary from the executive, my hon. friend Shri Sinhasan Singh has dealt with the point nicely, and given an an illustration in a very picturesque way as to what is happening in U.P. All the magistrates are physically afraid of taking any independent decision because of the Additional District Magistrate and the District Magistrate.

An Hon. Member: The High Court Judges are afraid.

Shri S. M. Banerjee: I do not want to mention about High Court Judges, but the magistrates who try at the intial stage are unable to take a decision, because their confidential reports are written by the Additional District Magistrate, and the Additional District Magistrate's confidential report is written by the District Magistrate, and naturally they cannot possibly give justice, however much the case may be in favour of those who are supposed to be accused.

Mr. Deputy-Speaker: He may continue tomorrow.

17.30 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, March 25, 1964/Chaitra 5, 1886 (Saka).

PRINTED—2640 (Ai) LSD—7-4-64—980.